

EXTENSIONS OF REMARKS

THE NEED FOR A BETTER HEALTH CARE ACCREDITATION SYSTEM

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. STARK. Mr. Speaker, human rights violations are occurring every day in the United States—worse yet, the victims and the Federal Government are funding these atrocities. While many nursing homes do an excellent job, all too many nursing homes throughout the country are not providing adequate care for elderly patients. As the proportion of older Americans in the population continues to grow and the number of those requiring long term care also rises, we must find a better way to improve quality in nursing homes.

A Special Report on Nursing homes in the October 12, 1998 edition of USA Today profiles the devastating conditions in some Florida nursing homes. According to the article, the Brian Center in Tampa exemplifies the neglect which is all too frequent in the nursing home industry. More than a dozen "residents' rights" lawsuits, including a class-action claim, are pending against Brian Center of Tampa. These lawsuits accuse Brian Center and its succession of owners and management companies of systematic fraud, abuse and neglect orchestrated to inflate profits at the expense of vulnerable patients.

As the USA Today article describes, enforcement lawsuits against nursing home owners take up to four months to be heard in court, and an additional month to be decided. Fines are limited to \$5,000 per violation. Nursing homes only need to prove that they have improved the conditions of the home by the time of the hearing to defeat the enforcement lawsuit.

There is no substantial punishment for nursing homes which fail to adequately care for their patients. Further increasing the likelihood of poor care, government and private authorities like the Joint Commission on Accrediting Health Care Organizations do not effectively inspect facilities to identify existing problems. The date of annual inspections are rarely varied by more than a week, allowing nursing homes to present a positive example for the inspectors and then return to a poor standard once the inspection was finished.

The Brian Center and similar examples point out the problems with the Joint Commission on Accrediting Health Care Organizations, the national organization responsible for approving hospitals and nursing homes for medicare coverage. The October 19, 1998 edition of The Wall Street Journal contains a succinct description of the problems with the current accreditation and ranking process for HMO's, "Who's on First?" by Nancy Ann Jeffery. Both JCAHO and National Committee for Quality Assurance accredit HMO's, but each

uses a different standard. JCAHO itself provides multiple accreditation plans which allows each plan to measure their most positive indicators.

Using different standards for different accreditation renders the results of such accreditations useless. The rankings by JCAHO and NCQA are not standardized so comparing accreditation reports among provider groups is difficult and/or meaningless.

The Wall Street Journal article also identifies the key flaw in the JCAHO type of accreditation: conflict of interest.

When it comes to policing health-care quality, some groups are afraid to bite the hand that feeds them. In 1994 the Joint Commission rolled out a set of standardized performance measures off hospitals, at a cost of more than \$5 million, creating a much sought-after single yardstick for comparing one hospital with another.

There was just one problem: Some hospitals would look bad. The hospitals balked. So the Joint Commission, with a board dominated by the hospital industry and medical associations, backed off the plan.¹

The Federal Government needs to improve the oversight of accrediting organizations to ensure that they are protecting the consumer, and providing useful material.

A TRIBUTE TO ANGELA RAISH

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mrs. WILSON. Mr. Speaker, I rise today to recognize Angela Raish and to let this Congress know about a loss that we as a Congress will soon suffer. Ms. Raish has been the personal secretary and scheduler to New Mexico Senator PETE DOMENICI. She has served for 21 years as the Senator's "vero braccio destro" or right hand.

Her pleasant manner and dedication to the Senator and to the people of New Mexico is unparalleled. She worked selflessly to ensure everyone in the office did the best work possible for the Senator and the people of New Mexico. To give you an idea of what an impact she made, her retirement celebration was hosted by the Senator and Nancy Domenici as well as former Senate Majority Leader Howard Baker, former Senate Majority Leader Bob Dole and former Senator Sam Nunn, a Georgia Democrat.

Raish who grew up in South Dakota, joined DOMENICI's staff in 1977. Truth is, she probably knows more New Mexicans than the Senator does. And all of them adore Angela. Along the way she helped hundreds of people

with her warm, caring manner. Dedicated, loyal public servants make up the majority of people working on Capitol Hill. But, Angela Raish has set the bar at the highest level to which others should aspire.

HONORING THREE OF LANSING'S UNSUNG HEROES—THE LANSING COMMUNITY ROLE MODEL CELEBRATION

HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Ms. STABENOW. Mr. Speaker, on October 17, 1998, at our Lansing Community Role Model Celebration, I will be pleased to honor three of Lansing's unsung heroes. These women are true community volunteers, who, through their own dedication, commitment, and hard work have made our community a better place.

Mrs. Grace L. Demps, who has lived in Lansing since she was 6 years old, is a lifelong community volunteer. She has spent the last ten years making holidays dinners for hundreds of needy families. Mrs. Demps organizes and prepares these wonderful holiday feasts out of her own home. She solicits food donations and pays for the remainder of the supplies out of her own pocket.

Mrs. Demps has received the Sojourner Truth Award from the National Association of Negro & Professional Women's Club, and the Outstanding Community Service Award from the women of Union Baptist Church, Mother of the Year from her own Messiah Community Baptist Church, where her son, Rev. Lawrence Hinton presides. She is a member of the Greater Lansing Nurses Guild and the Lansing Association Women's Clubhouse.

Mrs. Demps recently retired as a 25-year employee from the City of Lansing Traffic Department. She is married to Willie Demps, and is the mother of 6 children, 35 grandchildren, 13 great-grandchildren, and 5 great-great-grandchildren.

Ms. Geri Roossien, who will be 66 on October 22nd, has used her own painful experiences with addiction to help many others through her job as a Substance Abuse Counselor at Cristo Rey Community Center, where she has been working since 1980. Although she retired on June 1st of this year, she is still involved in fundraisers and activities at the center.

Ms. Roossien is very close to her only daughter, Jannus, and her husband, Rob, and their two wonderful children.

Ms. Roossien served on the City of Lansing Human Resource Advisory Board from 1983 to 1996. She was also secretary for the Michigan Indian Benefit Association Board of Directors, a member of the Lansing Indian Center

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

¹Jeffery Nancy Ann, The Ratings Game: Who's on First? The Wall Street Journal. October 19, 1998 pg. R16.

Youth Advisory Committee, the Native American Community Group, the Ingham County Women's Commission, the C.I.R.C.L.E. group, and the Indian Children's Christmas Party Committee. She is an integral part of many local political campaigns and activities in the Lansing community.

Mrs. Georgia Brown has been one of Lansing's most dedicated and committed community activists. She is an Honorary Life Member of the National PTA, a Life Member of the NAACP, a life member of the National Council of Negro Women, a member of Lansing Association Women's Clubhouse, and Valiant Lady Church Women United. She is a long-time member of Trinity AME, and was a Sunday school teacher for many years, and worked with the Old Newsboys, an organization that raised money to give shoes and boots to hundreds of needy children. Mrs. Brown continues to volunteer at Sparrow Hospital's surgical wing where she has been a cheerful and dependable fixture for almost 15 years. And, Mrs. Brown, in all of her years of voting in public elections, has missed only 4 votes, and all of those were missed for family emergencies.

Mrs. Brown has been married to her husband Robert Brown for 68 years and is the mother of 8 children, 19 grandchildren, and 24 great-grandchildren.

Our community has been enriched by the contributions of these selfless volunteers. As we gather on Saturday, many generations of Lansing residents, we will celebrate our community role models, Mrs. Grace L. Damps, Mrs. Geri Roossien, and Mrs. Georgia Brown.

CONGRATULATIONS TO NAOMI LAUTER

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. FARR of California. Mr. Speaker, a young nation with a long and honorable history, Israel has been a symbol of hope and a land of opportunity for millions of Jews throughout the world. Surviving six wars, constant terrorism, and severe economic boycotts, Israel's 600,000 citizens have shown the world what it means to be committed to one's homeland. And like Israel, Naomi Lauter's independence, determination and strength have helped to build AIPAC into the leading organization for Jewish concerns.

I would like to congratulate Naomi Lauter on 16 years of incredible leadership as the Western Regional Director of AIPAC. Naomi's commitment to AIPAC and her vision has been unwavering and inspiring for all those who have worked with her.

The Jewish community has been served well by Naomi's spirit, innovation and devotion to Israel and pro-Israel legislation. Naomi has helped build AIPAC into what it has become in the Pacific Northwest, focused, effective, and powerful. We are all grateful to her for the work she has accomplished during her years of involvement with AIPAC.

And we look forward to her involvement for years to come. While Naomi is leaving as the

Regional Director, we should all be grateful that she is not leaving AIPAC altogether. Becoming its National Consultant, AIPAC is fortunate to be able to rely on her insight and institutional knowledge of this great organization.

Every Jewish American can take pride in her dedication to bringing together persons of any political persuasions to sit up and take notice for Jewish and pro-Jewish communities.

Thank you Naomi for your service to AIPAC. We are thankful for your work, and look forward to a continuing friendship and wish you a successful future.

AS GAMBLING SPREADS THROUGHOUT THE STATES SO DOES GAMBLING ADDICTION

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. WOLF. Mr. Speaker, as the 105th Congress prepares to adjourn, I want to bring to the attention of our colleagues an important issue which, unfortunately, hasn't seemed to register with many of America's leaders. But it's one that needs our focused attention, and that's gambling.

Twenty years ago, if you wanted to gamble you had to go to Atlantic City or Las Vegas. But today, gambling has spread in one form or another to most of the 50 States. There are only two States which have completely banned gambling, and that's Utah and Hawaii.

One reason for the incredible rate at which gambling is spreading is through the proliferation of gambling casinos in many States. I certainly respect Native American Indians, but I'm really concerned about the number of gambling establishments on tribal lands.

For those of us who say we really care about Native Americans, we need to show our concern about what gambling is doing to them. A new University of Montana Bureau of Business and Economic Research study found that Native Americans in Montana have a compulsive gambling rate that is double the rate of other adults in the State. My point is that as gambling spreads throughout the States, so does gambling addiction. Montana is just one State that has a real battle on its hands. The Montana study found that 78 percent of Montanans gamble, and that figure is regardless of income, education, age, sex, and marital status. Compulsive gambling rates are on the increase, the study also said, up from 2.2 percent of the adult population six years ago to 3.6 percent now.

First, gambling is corrupting the political process. I have mentioned before my concern about the incredible amounts of money the gambling interests are pouring into the political process. Both sides are taking the money—Republicans and Democrats. And we are reading news reports more frequently than ever about one government official after another being investigated for gambling-related corruption, from an ex-governor and his son to even a member of the President's cabinet.

Second, it's hurting local businesses. People only have so many extra dollars to spend on food and entertainment. If they're spending

their disposable income at the new casino in town, that's money that the local restaurant doesn't get, or the movie theater, or local retailers. Local business is being cannibalized by the casinos. Mom and pop restaurants can't compete with the discounted and even free meal deals at the gambling operations.

Another thing that happens when gambling comes to town is that crime goes up. The U.S. Treasury Department has been increasingly concerned at the way casinos attract criminal elements and suspicious activity, especially money-laundering and has proposed new regulations that would require casinos and card clubs to report to Treasury any suspicious transactions of \$3,000 or more. Of course, the casinos are fighting these regulations tooth and nail. But the fact is, a cash-heavy criminal can find a safe haven in a casino. Drug dealers, armed robbers, embezzlers—these kind of people can walk in, buy a few thousand dollars worth of chips, then turn them in for a casino check later that night and can go relatively unnoticed.

Just a few months ago, four employees at some casinos in Atlantic City were arrested in a sting operation as they allowed undercover agents to launder more than \$400,000 in what they allegedly believed was drug money. so the Treasury Department is concerned for good reason.

But crime is not the only issue. We are in a period of record bankruptcies all across the country, so much so that we had to appropriate money to pay for more bankruptcy judges. Studies have shown a significant link between gambling and bankruptcy, even geographically. Where there are more gambling facilities, there are more bankruptcies. This is an issue that must be addressed. It is out of control. Just the other day, a federal judge in Memphis said that because a woman had a gambling addiction problem, she didn't have to pay back the \$8,200 in gambling debts she ran up on her credit card just before she filed for bankruptcy. Is there any doubt that the gambling issue must be addressed if we're talking about bankruptcy reform?

But not only bankruptcies increase when gambling comes in. Tragically, so do suicides. The American Association of Suicidology published the study "Elevated Suicide Levels Associated with Legalized Gambling" in the Winter 1997 issue of its journal *Suicide and Life-Threatening Behavior*. The study, which was conducted by Dr. David P. Phillips of the University of California at San Diego, found that there is a link between gambling and suicide.

Las Vegas, the premier U.S. gambling setting, displays the highest levels of suicide in the nation, both for residents of Las Vegas and for visitors to that setting.

the study said.

In general, visitors to and residents of major gaming communities experience significantly elevated suicide levels. In Atlantic City, abnormally high suicide levels for visitors and residents appeared only after gambling settings were opened. The findings do not seem to result merely because gaming settings attract suicidal individuals.

But how do people get to the point where they're ready to take their own lives? It can actually start at a very young age. We're seeing and hearing more and more these days about how gambling is hurting young people.

And by "young," I'm talking about small children. Some critics, including Ed Looney, executive director of the Council on Compulsive Gambling of New Jersey, say that amusement arcades teach children that gambling is okay, and that it opens the door for later problems.

According to an article last month in the Las Vegas Review-Journal, gambling cities such as Las Vegas have tried to fashion themselves into "family-friendly" entertainment by providing casino arcades. But most of the games in the arcades, the article says, are gambling devices. The biggest difference between what's happening to the parents on the casino floor and what's happening to the kids in the casino arcades, the article says, is that "the kids are ripped off even more than the adults."

"These are not pinball machines or video games to afford entertainment time for the money," the article says, but they are "virtual slot machines designed to turn money over quickly. One watches the children in the arcades with dismay. Many exhibit the same agitated and frustrated demeanor of gambling-addicted adults as they pump their coins into the machines."

Gambling proponents say they are concerned about unattended children in casinos. That new found concern may have been spurned by high-publicity cases like the one last year in a Primm, Nev., casino hotel. A 7-year-old girl from Los Angeles, a second-grader, had been playing in and around a casino arcade, left on her own, while her father gambled. She was raped and murdered.

Syndicated columnists Don Feder and William Safire have both written recent op-ed articles decrying the gambling industry's targeting of children. In a recent column, Feder reported that the Las Vegas Hilton spent \$70 million on a ride called "Star Trek: The Experience." Young people waited for hours in line to get on the ride, and the line stretched through a gambling area. Hundreds of kids took the opportunity to play the slot machines, Feder reported. Something tells me the casino was not at all unhappy about this experience. If they are to exist in the future, they have to seduce the next generation of customers.

Consumer advocate Ralph Nader is saying the same thing these days. "The idea is that parents will feel less guilty if they are subjected to family entertainment, and that the next generation of gambling addicts must be given attention," Nader said at a recent speech in Washington, D.C. "The gambling industry is as brazen as the tobacco and alcohol industry," Nader said. "It is even more brazen."

More and more teens are finding themselves trapped in a web of gambling from which they can't break free. The New York Times printed a shocking front-page story about this a few months ago. The article cited a study by Harvard Medical School's Dr. Howard Shaffer, who published a recent study which found that young people are becoming addicted to gambling at a rate almost three times higher than that of adults. The article also cited a Louisiana State University study which found that one in seven 18- to 21-year-olds in Louisiana were problem gamblers. These are young people with a "chronic and progressive psychological disorder character-

ized by an emotional dependence on gambling and a loss of control over their gambling."

The 1996 New Mexico Survey of Gambling Behavior conducted a similar study and found that more than 85 percent of New Mexico's 18- to through 20-year-olds gamble. More than 66 percent said they had gambled in the previous month. Out of the 85 percent of young people who gamble, 37 percent said they were having gambling problems and 12 percent said they had a serious problem with gambling. The study also found a strong link between gambling behavior before the age of 21 and the development of serious gambling-related problems.

In New Jersey, gambling among teens is on the rise, according to the Council of Compulsive Gambling of New Jersey's Edward Looney. Looney says there is gambling in every high school in New Jersey, including gambling which is backed by organized crime. One survey of high school juniors and seniors reported that 30 percent gamble once a week at casinos, race tracks, on sports—including their own school's sports—on the lottery. According to the state's statistics, 91,754 juveniles were arrested or evicted from New Jersey casinos in 1997 alone. Out of this number, 329 were found gambling on slot machines and 114 at tables. There were 38,502 teens escorted from casinos last year, and 52,364 were turned away at the door when they tried to enter illegally.

But there's more. Not only is gambling hurting moms and dads and young people. But it's also hurting grandma and grandpa. According to a recent article in the Las Vegas Review-Journal, the spread of legalized gambling across America has led to financial ruin for many senior citizens. In Iowa, the article said, three years after riverboat gambling was introduced, bingo and casino gambling became the number-one pastime of choice for people over 65 years of age in the Omaha area.

Is that what each of us envisions for ourselves when we think about retiring? Spending our Golden Years addicted to gambling? I don't think so. But that's what's happening, all over America. The gambling industry says it's concerned about problem gambling among the elderly. But when you read their trade publications, ad after ad features grey-haired men and women beckoning seniors to "join in the fun."

Mr. Speaker, the fact of the matter is, many American people are starting to wise up to what's really going on here. As they are watching friends, neighbors and their own family members sinking in gambling's quicksand, they are speaking up and standing up against this blight on our nation. In state after state, voters are making their voices heard, loud and clear. They don't want it in their communities. Take casino gambling, for instance. Out of the last 21 efforts to bring in casinos nationwide, all have failed but one, and that one, in Detroit, Michigan, won only by a very slim margin. Even now, the citizens there are seeking to overturn that decision.

What is needed in our country is for our community leaders and elected officials to hear the voice of the American people on this issue, for they have indeed spoken. They have seen that gambling is bad for their families, bad for their communities, bad for their kids. It is destructive. It is dangerous.

I could go on and on for hours citing cases and studies. We have reports piled high in my office. But I think what I've shared with you today is enough of a taste—a bitter taste—of what gambling really means for a lot of people.

This is a problem that is national in scope. That's why we had to pass legislation which the President signed into law to establish the National Gambling Impact Study Commission. The commission is over half way through its two-year comprehensive evaluation of gambling's impact in America, including open meetings all across the country, and is expected to report its findings by next summer.

We need to wake up. It is wrong to allow government to become the predator of the people. Think about this the next time gambling's high-priced lobbyists show up at your door with a campaign contribution or an offer to put on a "high-dollar" fundraiser.

JOSE AND KATHY VILLEGAS RECEIVE THE APPLE PARENT INVOLVEMENT IN EDUCATION AWARD

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mrs. WILSON. Mr. Speaker, I wish to bring to your attention an honor given to Jose and Kathy Villegas, residents of the great state of New Mexico. Jose and Kathy Villegas have received the 1998 Apple Parent Involvement in Education (PIE) Award.

Jose and Kathy Villegas received this award because their children Candace Marie, age 13 and Joseph, Jr. age 11 took the initiative to write a letter of nomination to Apple PIE Awards. Our most important job as parents is providing our children with values, teaching the difference between right and wrong and setting examples of respect for ourselves, others and our community. Jose and Kathy Villegas obviously have done this with their children. The nomination letter included a description of how their parents were instrumental in getting a classroom addition at their elementary school and a stop light at a busy intersection used by school children. Jose and Kathy Villegas are involved in many task forces working on issues important to children's education. The Villegas' story provides an excellent example of how parent involvement can make a positive difference in their children's lives, the local school and their community.

Jose and Kathy Villegas' story is part of a feature story in the November 1998 issue of Working Mother titled, "Classroom Champions". As the only individuals to receive this award in the United States, they stand as an example to all of us. Join me today in recognizing recipients of the 1998 Apple Parent Involvement in Education Award, Jose and Kathy Villegas.

CONFERENCE REPORT ON H.R. 4194,
DEPARTMENTS OF VETERANS
AFFAIRS AND HOUSING AND
URBAN DEVELOPMENT, AND
INDEPENDENT APPROPRIATIONS
ACT, 1999

SPEECH OF

HON. ROGER F. WICKER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 6, 1998

Mr. WICKER. Mr. Speaker, I am pleased that the VA-HUD-Independent Agencies Appropriations Act for Fiscal Year 1999 makes available significant funding for economic development grant assistance as part of the Community Development Block Grant program.

The Conference Report to accompany this legislation, House Report 105-769, on page 248, provides \$750,000 to the City of Sardis, Mississippi, for the City's planned Water Resources Infrastructure Program, a portion of which includes construction of wastewater treatment facilities, as noted in the Conference Report.

I would like to take this opportunity to describe in specific detail how the City will use the FY 1999 CDBG economic development grant of \$750,000.

The water and wastewater supply facilities in the project area are inadequate to support planned developments. Although the distribution of potable water and the collection of wastewater within such developments are expected to be funded and constructed as components of the private developments, these systems will rely upon public infrastructure for water supply, storage and transmission, and wastewater transportation and treatment.

For Phase I water supply, the Master Plan recommends construction of a 500,000 gallon elevated water storage tank and its accompanying water well and 3.5 miles of 12-inch transmission pipelines, at a cost of approximately \$1.7 million. These facilities will provide up to 1.0 million gallons per day of water supply for the conference facility, hotel, and marina.

Wastewater service for the Phase I development will consist of the necessary sewer pump stations and their related transmission force mains to carry the wastewater to the western extremity of the Sardis Lake grounds, and gravity sewer main from there westerly to the City's existing wastewater treatment lagoon facility. The wastewater facilities will include 2 pumping stations with capacities of 1,000 gpm each, approximately 4.5 miles of 12-inch forcemain, 2.5 miles of 24-inch gravity sewer main, and an expansion of the City's existing wastewater treatment facility. The probable cost of the wastewater improvements is approximately \$2.5 million.

The FY 1999 CDBG grant assistance of \$750,000 will be applied to planning, engineering, environmental, land acquisition, and construction activities related to the Phase I elements of the Program outlined above. The City intends that funds remaining from the grant following completion of planning, engineering and environmental work will be applied for Phase I construction activities until the funds are exhausted.

I look forward to watching the City of Sardis continue its exciting development and I trust these remarks will provide sufficient guidance to the Department of Housing and Urban Development as to the legislative intent for the grant assistance provided to the City of Sardis in the Fiscal Year 1999 budget.

HU KOMPLIMENTA I PLANUN
HAGÁTÑA

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. UNDERWOOD. Mr. Speaker, today I wish to commend the efforts of the many citizens on Guam who organized an effort to recognize the history and development of Guam's capitol city of Hagåtña. This endeavor, properly named "Project Hagåtña," has been a tool to educate younger generations of Guam's historical past. The various activities produced by the team leading Project Hagåtña has brought younger generations closer to their Chamorro heritage and has instilled in them the common values shared as native Pacific islanders.

The birth of Project Hagåtña resulted from ideas between two local men tossing around ideas of how to celebrate the Centennial Commemoration of Guam's relationship with the United States. Historically, Guam's capitol city has always been a center point for activities and social gatherings of occupying countries. Though the early Chamorros had been subjected to their rule, they still managed to retain the dignity and spirit of their capitol city. Hagåtña remained one of the most populated areas on Guam and thus a focal point for passing on the traditions, stories and culture of the Chamorro people.

Upon approval by Guam's Centennial Task Force, Project Hagåtña's director, Mr. Peter Alexis Ada, set out to plan a grand celebration. Appropriately, Mr. Ada was born and raised in Hagåtña and has seen the transformation of Guam's capitol throughout his life. His experiences and memories, especially in the aftermath of World War II, have made the celebration of Hagåtña memorable and personable. Mr. Ada's recollections of his family and neighbor's everyday routines have helped to lay the groundwork for Project Hagåtña's role in the centennial commemoration.

In designing the various activities, it was decided that events hosted by Project Hagåtña would rely on the generosity and graciousness of individuals and Guam's private sector to make it happen. This spirit of cooperation existed in Hagåtña's history when families helped one another during times of hardship or celebration. Guam's present day contributors to the success of Project Hagåtña include; Lam Lam Tours, Coca Cola, Foremost Foods, Mid-Pac Distributors, Ambros, Jones and Guerrero K-57, McDonalds, Exxon Guam, Computerland, Marianas Electronics, ARROTECH, SGO Glass and Gifts and the Church of Jesus Christ of Latter Day Saints. Without their assistance and kindness the events of Project Hagåtña would have never happened.

Project Hagåtña incorporated a multi-faceted approach by sponsoring scores of events that built upon our cultural backgrounds and renewed our energy to learn our history. To inaugurate the creation of Project Hagåtña, a ceremony was held which honored and included the remaining residents of Hagåtña that remained in the capitol despite the pressures to move elsewhere by the post WWII reconstruction. Other celebrations include reliving the genre of music that existed in the 1930's and 40's, the baking of bread in antique beehive ovens, commemorating the signing of Guam's Organic Act in 1950, tracing the genealogy of Chamorro families, tracing the genealogy of Chamorro families with Japanese surnames, and participating in Guam's Liberation Day Parade.

I would like to commend the following individuals for their remarkable efforts in coordinating Project Hagåtña: Lourdes C.N. Ada, Benigno-Joseph Umagat, John San Nicolas, Annabelle Perez, Jeffrey Edubalad, Teresita N. Taitano, Robert J. Umagat, John Garica, Donna Paulino, Lelani Farrales, Lourdes Alonso, Kennedy Jim, Mayleen San Nicolas, Jesusa M. Hayes, Clotilde R. Peredo, Patrick S. Leddy, and Peter Alexis Ada.

My congratulations to the people of Guam on the success of Project Hagåtña, may its work continue through the rest of this year and serve to remind us of our unique cultural place in the world and strengthen our heritage.

HONORING THE GRAND OPENING
OF THE BIXBY MARIONETTE
EXHIBIT

HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Ms. STABENOW. Mr. Speaker, starting on Sunday, October 18th, the Bixby Marionette Exhibit opened its permanent home in Saline, Michigan at the Saline Culture and Commerce Center.

The exhibit will showcase more than 100 marionettes created by 89-year-old Meredith Bixby who is the founding member of the Puppeteers of America, and a member of the Detroit Puppeteers Guild.

As a lifelong resident of Saline, Mr. Bixby, who is known as the "Master of the Marionettes," traveled throughout the United States with the Meredith Marionettes Touring Company for more than 40 years, beginning his career during the darkest days of the depression and continuing until his retirement in 1982.

This exhibit came together through a partnership created by the Saline Area Chamber of Commerce, the Michigan Council for Arts and Cultural Affairs, and the City of Saline, who helped champion the Bixby project.

I am pleased to help showcase the work of this extraordinary man who helped bring joy, creativity, and entertainment to schools, theaters and community centers across the country. I wish him the very best in the future and thank all parties for helping to establish this important cultural project.

HONORING THE RETIREMENT OF
FLORIDA STATE REPRESENTATIVE
FRED LIPPMAN

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. SHAW. Mr. Speaker, when the Florida State Legislature reconvenes in 1999, it will do so without one of its most valued leaders. State Representative Fred Lippman of Hollywood, Florida is retiring from the Florida House of Representatives after twenty years of dedicated public service to Broward County and our home state.

In the thirty years I have known Fred, our friendship has transcended party politics. We have joined forces in numerous community endeavors, including serving on the Broward County Charter Review Commission. I have enjoyed working alongside Fred in true, cooperative bipartisanship. His exemplary record and committed leadership have been invaluable to the community development of Broward County.

For two decades, Fred Lippman has been an advocate for children's health and the voice of the people of Broward County. His most notable legislative accomplishments include the design of the Healthy Kids statewide insurance program, revision of Florida's child abuse laws, and one of the country's first laws mandating the use of child-safety seats.

Although he is retiring from the Florida House of Representatives, I doubt that Fred will ever retire from public service. As a testimony to his tireless work in the community, a family center and a local shelter have both been named in his honor. He has received numerous awards from groups such as Florida's teachers, firefighters, children's advocates, and the American Lung Association. I am certain his dedication to the community will continue.

Mr. Speaker, I commend State Representative Fred Lippman for his twenty years of service in the Florida House of Representatives.

RETIREMENT OF JAMES N.
WOODRUFF

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. HOYER. Mr. Speaker, I rise today to pay tribute to James N. Woodruff, who has recently retired after a distinguished career with the Office of Personnel Management and its predecessor, the Civil Service Commission.

It may seem unusual for the Congress to honor the service of a long-time Executive branch employee, but I can assure my colleagues that Jim served the Congress effectively for many years. The vast majority of Jim's tenure was devoted, either directly or in his supervisory capacity, to the drafting and analysis of measure addressing many of the most significant and complex Federal personnel issues. He contributed immeasurably to major initiatives such as the Federal Employ-

ees Pay Comparability Acts of 1970 and 1990, the Federal Employees' Retirement System Act of 1986, and the Civil Service Reform Act of 1978.

In addition, many members of personal and committee staffs have benefited from Jim's quick and able assistance over the years. Whether on the most arcane technical matters or the broadest constitutional concerns, Jim's expertise and counsel reflected sound judgment and were always readily available.

We would be remiss in allowing only the Executive branch to express regrets at Jim's departure. His career-long commitment to excellence is in the finest tradition of public service and we wish him well.

PERSONAL EXPLANATION

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mrs. WILSON. Mr. Speaker, on rollcall vote numbers 520, 531, 532, and 533, I was unavoidably detained. Had I been present, I would have voted 'aye' on each of these votes.

IN HONOR OF JACK HECHLER

HON. RALPH REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. REGULA. Mr. Speaker, I would like to bring to the Congress' attention an individual who has over the past decade made innumerable contributions promoting a better understanding of our institution and the federal government to visitors from around the world.

Jack Hechler, for the past ten years, has served as escort/interpreter for the well-regarded annual Congress-Bundestag/Bundesrat Staff Exchange Program. Begun in 1983, this exchange program has greatly contributed to improving the working relationship between the legislatures of the United States and Germany. Since 1988, Mr. Hechler has been the escort/interpreter for the German delegation which arrives each summer for a three week program in Washington and Members' districts.

Born and raised in Germany, Mr. Hechler graduated from American University in Washington, D.C., served in the U.S. Armed Forces, and for more than 37 years was an active Civil Service employee. Prior to his retirement, he served as Director of Policy, Plans, and Evaluation at the General Services Administration. Since his retirement, Mr. Hechler has provided escort and interpreting services for the Department of State and the U.S. Information Agency.

Mr. Hechler has been invaluable to the success of the Congress-Bundestag/Bundesrat Staff Exchange by providing continuity to the program which relies heavily on alumni volunteers. The ten member German delegations and the network of American alumni have come to depend on his insights, his wide

breadth of knowledge of American history, and his composure. It is no wonder that the Federal Republic of Germany awarded him the Order of Merit for his work with this program.

Mr. Hechler has provided Congress with a great service for which I offer my appreciation and that of my colleagues.

PROVIDING FOR CONCURRENCE BY
THE HOUSE, WITH AN AMENDMENT,
IN SENATE AMENDMENT
TO H.R. 2204, COAST GUARD AUTHORIZATION ACT OF 1997

SPEECH OF

HON. CHRISTOPHER JOHN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 1998

Mr. JOHN. Mr. Speaker, I rise in support of House Resolution 602 and H.R. 2204, the Coast Guard Authorization Act of 1998. In general, the purpose of H.R. 2204 is to authorize approximately \$4.1 billion in expenditures for the United States Coast Guard for fiscal year 1999. The U.S. Coast Guard is on the front lines every day, saving lives and preventing drugs from entering the country. They are the lead agency in the cleanup of oil spills and they help protect our nation's fisheries within our 200 mile exclusive economic zone. The funding authorized in this bill will enable them to continue to accomplish their important mission.

Mr. Speaker, I would like to devote the remainder of my time discussing the merits of Title VI of this bill. I rise strongly in support of Title VI because it is essentially H.R. 4235, the legislation that I introduced in July of this year. H.R. 4235 is entitled the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998. My bill, and Title VI of H.R. 2204, authorizes appropriations through the National Oceanic and Atmospheric Administration to conduct research, monitoring, education, and management activities for the prevention, reduction and control of Harmful Algal Blooms, hypoxia, *piesteria* and other aquatic toxins.

Mr. Speaker, as you are well aware, the problems associated with Harmful Algal Blooms (HABs) have been well documented. Recent occurrences of HABs include red tides in the Gulf of Mexico and the Southeast; brown tides in New York, New Jersey and Texas; ciguatera fish poisoning in Hawaii, Florida, Puerto Rico, and the U.S. Virgin Islands; and shell fish poisonings in the Gulf of Maine, the Pacific Northwest, and the Gulf of Alaska. In addition, the recent outbreak of *piesteria piscicida* in the Chesapeake Bay estuary is an example of how a naturally occurring species can explosively reproduce in our nation's coastal waters. Furthermore, according to NOAA, 53 percent of U.S. estuaries experience hypoxia—including a 7,000 square mile area in the Gulf of Mexico off Louisiana and Texas which creates a massive "dead zone" where little or no marine life exists.

Representing the western half of Louisiana's coastline, I am particularly sensitive to these problems as they affect not only the public health, but also my state's valuable fisheries resources. As I just relayed, however, these

are not problems isolated to Louisiana or the Gulf of Mexico. Rather, it is a national problem that deserves a national approach.

Up to this point, research on the HAB problem has focused primarily on basic science, detection, and monitoring. One vital research need is a reliable technique for the rapid detection and identification of algal species and stages. Monitoring of water quality in order to forecast the onset or subsidence of algal blooms is another key research issue. Such monitoring also is important for understanding interactions between algal species and the environment and the relationship of algal species with other marine organisms.

The range of economic impacts from HAB outbreaks and the extent of those costs have spiraled. Economic losses have been documented from limited or restricted shellfish harvests, losses from reduced tourism and marine recreation due to aesthetically unpleasant areas, and panicked consumers who avoid purchasing seafood products. In addition, there are indirect costs associated with HABs, such as the medical costs of treating exposed people and diminished development of or investment in coastal resources.

The technical, legal, and managerial tools to address HABs may collectively exist within a variety of federal and state agencies. Currently, however, a structured and effective means to bring this expertise together to address HABs does not exist. The missions and goals of many agencies overlap in the coastal zone where HAB phenomena are pronounced. Although no single agency has the lead role for the federal government, NOAA and the Environmental Protection Agency (EPA) are coordinating the efforts of several agencies and departments. At present, the goal of these efforts is to more effectively direct resources toward minimizing future HAB outbreaks and supporting research and monitoring efforts.

Mr. Speaker, I introduced H.R. 4235 to address this problem. H.R. 4235 was structured to ensure that much needed federal resources are effectively used to address our nation's coastal communities environmental and public health concerns. Though the authorized funding level in Title VI is less than I proposed in H.R. 4235, I am pleased to see that the integrity of the structure of my bill was not breached.

Finally, I would like to briefly thank my staff, David Kay, for all his hard work and all the Members who were supportive of my proposal. I am confident that the broad-based support that we garnered in the form of co-sponsors to H.R. 4235 was instrumental in the bill's eventual inclusion as Title VI of H.R. 2204.

Mr. Speaker, I urge that the House support H.R. 2204. I urge the Senate to quickly act to pass it as well and I urge our President to sign this bill into law.

SALUTING RON JAMES—INTREPID DEFENDER OF THE AMERICAN FLAG

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. SOLOMON. Mr. Speaker, I would like to take this opportunity as we come to the close of the 105th Congress, to recognize a man who has been so instrumental in efforts to protect the eternal symbol of our great nation—the American Flag. That man is Ron James.

Those of us ingrained in the fight to enact the constitutional amendment prohibiting the physical desecration of the American Flag identify Ron James, who we also know as Ronald M. Sorenson, as a true patriot. Ron has devoted countless volunteer hours to promoting the amendment that will return the right of the American people to protect the American Flag—the perennial symbol of American ideals and the countless sacrifices that have been made in securing them. A former Marine, Ron has extended his service to his country well beyond his time in the armed services. His actions on behalf of all veterans and in support of protecting the American flag are truly commendable.

Mr. Speaker, I invite all Members to join me in paying tribute to Ron James, a true American patriot.

MULTIPLE CHEMICAL SENSITIVITY

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. SANDERS. Mr. Speaker, I rise today to discuss the issue of Multiple Chemical Sensitivity as it relates to both our civilian population and our Gulf War veterans. I continue the submission for the RECORD the latest "Recognition of Multiple Chemical Sensitivity" newsletter which lists the U.S. federal, state and local government authorities, U.S. federal and state courts, U.S. workers' compensation boards, and independent organizations that have adopted policies, made statements, and/or published documents recognizing Multiple Chemical Sensitivity disorders for the benefit of my colleagues.

RECOGNITION OF MCS IN 8 U.S. FEDERAL COURT DECISIONS

In decisions affirming MCS (by this or another name) as a real illness, handicap or disability under:

Daubert: *Kannankeril v. Terminix International Inc.* Third Circuit Court of Appeals (CA 3), No 96-5818 [17 Oct. 1997, 5 pages, R-148], overturning a lower court's summary judgement for the defendant (District of NJ, No 92-cv-03150) on a Daubert motion, saying it had "improperly exercised its gate keeping role by excluding" the plaintiff's medical expert, Dr. Benjamin Gerson, and his testimony on causation—specifically his view that the plaintiff developed MCS as a result of overexposure to chlorpyrifos. [Terminix had sprayed Dursban in the plaintiff's home 20 times in 17 months.] The court described

MCS as becoming "sensitized to multiple other chemicals" and said "It is an acknowledged scientific fact that chlorpyrifos, the active ingredient in Dursban, is harmful to humans and can cause the very symptoms displayed by Dr. Kannankeril," which included headaches, fatigue, numbness, memory and concentration problems, sleeplessness, nausea, and skin rashes. Even though Dr. Gerson had not examined the plaintiff or written about the toxic effects of organophosphates, the court said his "opinion is not a novel scientific theory" and "is supported by widely accepted scientific knowledge of the harmful nature of organophosphates."

Fair Housing Act: *United States v. Association of Apartment Owners of Dominis West et al.* Case No. 92-00641 (D. Ha.) 25 August 1993 [19 pages, R-61], in which a consent order won by the Department of Justice's Housing and Civil Justice Enforcement Section requires the management of an apartment complex in Honolulu to take several steps to accommodate a tenant with MCS.

Rehabilitation Act: *Vickers v. Veterans Administration*, 549 F. Supp. 85, W.D. Wash. 1982 [4 pages, R-56], in which the plaintiff's sensitivity to tobacco smoke was recognized as handicap by the VA and the court, but his request for totally a smoke-free environment was denied on the grounds that the VA had already made sufficient reasonable efforts; *Rosiek v. Department of the Army*, 679 F. Supp. 444, M.D. Pa. 1987 [6 pages, R-57], in which the court, although finding the plaintiff "not otherwise qualified" to continue working, implicitly recognized his MCS disability, as did the Army, which the court found had made sufficient reasonable (albeit unsuccessful) efforts to accommodate the plaintiff's chemical sensitivity.

Social Security Disability Act: *Slocum v. Califano (Secretary, HEW)*, Civil No. 77-0298 (D. Haw.) 27 August 1979 [9 pages, R-60], in what is believed to be the earliest decision of any court recognizing MCS, the US District Court of Hawaii awarded disability benefits to a plaintiff whose *pro se* claim of "chemical hypersensitivity" dated from 1 May 1968; *Kornock v. Harris*, 648 F.2d 525, 9th Cir. 1980 [3 pages, R-59]; and *Kouril v. Bowen*, 912 F.2d 971, 974, 8th Cir. 1990 [7 pages, R-58]; *Creamer v. Callahan*, Civil No. 97-30040-KPN (D. Mass.), 5 November 1997, [7 pages, R-150] reversing and remanding the decision of the SSA Commissioner, who agreed that the administrative law judge's "analysis was flawed with respect to MCS." The court ordered the Commissioner to file a supplemental memorandum on SSA's "position with respect to MCS," which he did—specifically stipulating that SSA "recognizes multiple chemical sensitivity as a medically determinable impairment" (31 October 1997, 2 pages, R-164).

RECOGNITION OF MCS IN 21 U.S. STATE COURT DECISIONS

In decisions affirming MCS illness (by this or some other name) as a handicap or injury in cases regarding:

Housing Discrimination: *Lincoln Realty Management Co. v. Pennsylvania Human Relations Commission*, 598 A.2d 594, Pa. Commw. 1991 [47 pages, R-62].

Employment Discrimination: *County of Fresno v. Fair Employment and Housing Commission of the State of California*, 226 Cal. App. 3d 1541, 277 Cal. Rptr. 557 Cal App. 5th Dist. 1991 [11 pages, R-63]; and *Kallas Enterprises v. Ohio Civil Rights Commission*, 1990 Ohio App. 1683, Ohio Ct. App. May 2, 1990 [6 pages, R-64].

Health Services Discrimination: *Ruth, Barbara; June P. Hall; Cricket J. Buffalo; Susan*

Molloy; and Cathy Lent v. Kenneth Kizer/Molly Coe, Director, CA. Department of Health Services, No. 665629-8, 1989 [1 page, R-65], in which the plaintiffs won the right to receive oxygen treatments for MCS by successfully appealing to the CA Superior Court of Alameda County which overturned the prior ruling of an administrative law judge.

Negligence/Toxic Tort: Melanie Marie Zanini v. Orkin Exterminating Company Inc. and Kenneth Johnston, Broward County Circuit Court, No. 94011515 07, verdict of 7 December 1995 and final judgement of 28 December 1995 [4 pages, R-92], in which the jury ruled that the pesticide applicator's negligence in applying Dursban was the legal cause of damage to the plaintiff, who was awarded a total of \$1,000,000 in damages by the jury. This was subsequently reduced to \$632,500 in the final judgement.; Ruth Elliott, et al., v. San Joaquin County Public Facilities Financing Corp. et al., California Superior Court, San Joaquin County, No. 244601, 31 October 1996 [2 page verdict report, R-112] in which a public lease-back corporation was held responsible for 14 awards of partial to permanent disability based on MCS and various other health complaints that started after extensive renovations were inadequately ventilated (half the roof air conditioners did not work). Awards ranged from \$15,000 to \$900,000 each (total \$4,183,528) Linda Petersen and Eleni Wanken v. Polycap of California, California Superior Court, Alameda County, No. H7276-0, 1 April 1988 [1 page verdict report, R-143], in which plaintiffs were awarded \$250,000 and \$13,000, respectively, for MCS they developed after a polyurethane roofing material was installed at two school buildings where they worked. These jury awards led to prompt settlement of a dozen other cases against the same defendant.

Tort of Outrage and "Deliberate Intention" Exception to Workers Compensation: Birkliid et al. v. The Boeing Company, Supreme Court of the State of Washington, 26 October 1995, No. 62530-1, in which the court issued an EN BANC ruling in response to a question it "certified" from the Ninth Circuit Court of Appeals. By unanimous 9-0 decision, the WA Supreme Court found sufficient evidence of Boeing's deliberate intent to harm its employees from chemical exposure that the 17 workers who claim they were physically and/or emotionally injured as a result (including those with MCS) can sue the company for civil damages in addition to their workers' compensation benefits. (This "deliberate intention" exception was last allowed by the court in 1922). The court also found that the chemically-injured workers had a claim under the Tort of Outrage for recovery of damages arising from Boeing's intentional infliction of emotional distress. The matter now returns to the U.S. District Court for the Western District of Washington for a jury trial. [25 page decision with a 2 page background paper from Randy Gordon, one of the plaintiffs' attorneys., R-66].

Workers' Compensation Appeals (State Courts only, others follow):

Arizona: McCreary, Robert v. Industrial Commission of Arizona, 835 P.2d 469, Arizona Court of Appeals 1992 [1 page, R-70];

California: Kyles v. Workers' Compensation Appeals Board et al., No. A037375, 240 Cal. Rptr. 886, California Court of Appeals 1987 [9 pages, R-68]; Menezes v. Continental Ins. Co., 515 So.2d 525, La. App. 1 Cir. 1987 [6 pages, R-69];

Kansas: Armstrong, Dan H. v. City of Wichita, No. 73038, 907 P.2d 923, Kansas Court of Appeals [9 pages, R-185];

Nevada: Harvey's Wagon Wheel, Inc. dba Harvey's Resort Hotel v. Joan Amann, et al., No.

25155, order dated 25 January 1995, Nevada Supreme Court [4 pages, R-93], in an order dismissing the casino's appeal of a district court ruling that reversed the decision of an appeals officer in favor of a group of 23 claimants. The Supreme Court agreed with the lower court's finding that the officer had "overlooked substantial evidence offered by the [23] claimants that clearly supported a causal relation between their work place injuries [due to pesticide exposure] and their continuing disabilities."

New Hampshire: Appeal of Denise Kehoe (NH Dept. of Labor Compensation Appeals Board), No. 92-723, Supreme Court of New Hampshire 1994, 648 A.2d 472, which found that "MCS Syndrome" due to workplace exposure is an occupational disease compensable under NH's workers' compensation statute and remanded to the Compensation Appeals Board "for a determination of whether the claimant suffers from MCS and, if she does, whether the workplace caused or contributed to the disease" [3 pages, R-71, see also]; (2nd) Appeal of Denise Kohoe (NH Dept. of Labor Compensation Appeals Board), No. 95-316, Supreme Court of New Hampshire 13 November 1996, in which the Court again reversed the Compensation Appeals Board, finding both that the claimant had MCS (legal causation) and that "her work environment probably contributed to or aggravated her MCS" (medical causation) [5 pages, R-127];

Oregon: Robinson v. Saif Corp., 69 Or. App. 534; petition for review denied by 298 Ore. 238, 691 P.2d 482 [5 pages, R-67]; Saif Corporation and General Tree v. Thomas F. Scott, 824 P.2d 1188, Ore.App. 1992 [6 pages, R-89];

South Carolina: Grayson v. Gulf Oil Co., 357 S.E.2d 479, S.C. App. 1987 [6 pages, R-88];

West Virginia: Arlene White v. Randolph County Board of Education, No. 93-11878, 18 November 1994 decision of Administrative Law Judge Marshall Riley, Workers' Compensation Office of Judges, reversing denial of MCS claim for temporary total disability and medical payments by Workers' Compensation Division [7p, R-131]; Julie Likens v. Randolph County Board of Education, No. 93-14740, 4 April 1995 decision of Chief Administrative Law Judge Robert J. Smith, Workers' Compensation Office of Judges, reversing denial of MCS claim for temporary total and medical disability by Workers' Compensation Division [8p, R-132]; and Barbara H. Trimboli v. Randolph County Board of Education, No. 92-65342-OD, 10 June 1996 decision of Administrative Law Judge Terry Ridenour, Workers' Compensation Office of Judges, reversing denial of MCS claim for temporary total disability and medical payments by Workers' Compensation Division [5 pages, R-133].

RECOGNITION OF MCS IN 14 WORKERS' COMPENSATION BOARD DECISIONS

In decisions affirming MCS illness (by this or some other name) as a work-related injury or illness in:

Alaska: Hoyt, Virginia v. Safeway Stores, Inc., Case 9203051, Decision 95-0125, Alaska Workers' Compensation Board 1995 [21 pages, R-73].

Connecticut: Sinnamon v. State of Connecticut, Dept. of Mental Health, 1 October 1993 Decision of Nancy A. Brouillet, Compensation Commissioner, Acting for the First District, Conn. Workers' Compensation Commission. [10 pages, R-106]. The commissioner, citing testimony from Dr. Mark Cullen, among others, found "the great weight of medical evidence supports the diagnosis of MCS syndrome causally related to the Claimant's exposure while in the course

of her employment" in state office buildings with poor indoor air quality. She ordered payment of temporary permanent disability benefits as well as payment "for all reasonable and necessary medical treatment of the Claimant's MCS syndrome."; O'Donnell v. State of Connecticut, Judicial Department, 22 May 1996 Decision of Robert Smith Tracy, Compensation Commissioner, Fourth District, Conn. Workers' Compensation Commission. [5 pages, including cover letter from plaintiff's attorney, R-107]. The commissioner recognized MCS "caused by numerous exposures to pesticides at work . . . and exacerbated by repeated exposure to other odors and irritants at work" in a Juvenile Court building. Because "this claimant has been given special accommodations since March 1992 when she was granted an isolated office and the stoppage of spraying of pesticides" that allowed her to continue working full-time, no monetary benefits were awarded.

Delaware: Elizanne Shackie v. State of Delaware, Hearing No. 967713, Delaware Industrial Accident Board in and for New Castle County, December 1993 [21 pages, R-142] awarding total temporary disability benefits and "one attorney's fee" based on the IAB's finding that the claimant's work exposure (in a state correctional facility built by prison labor) had "caused her present respiratory symptoms" and that this "has sensitized her to other odors."

Maryland: Kinnear v. Board of Education Baltimore County, No. B240480, Md. Workers' Compensation Commission, 28 June 1994 [1 page, R-75].

Massachusetts: Sutherland, Karen v. Home Comfort Systems by Reidy and Fidelity & Casualty Insurance of New York, Case No. 023589-91, 8 February 1995 decision of Mass. Department of Industrial Accidents [21 pages, R-74]; Steven Martineau v. Fireman's Fund Insurance Co., Case No. 9682387, 15 May 1990 decision of Administrative Judge James McGuinness, Jr., Mass. Industrial Accident Board, ordering that the employer pay for disability benefits as well as "all costs, including transportation, lodging and meals, incurred or to be incurred in the course of seeking and obtaining reasonable medical and related care . . . including treatment rendered by and at the Center for Environmental Medicine." [18 pages, R-125]; Elaine Skeats v. Brigham & Women's Hospital, Case No. 02698693, 24 October 1996, decision of Administrative Judge James McGuinness, Jr., Mass. Industrial Accident Board, ordering that the employee "compensate the employee for expenses incurred in the course of satisfying the historic and prospective prescriptions of Doctors . . . prompted by her industrial injury and relative to: intravenous therapy, vitamin and nutritional supplements, message therapy, air conditioning, air purification, air filtration, masking, water filtration, allergy bedding, laboratory testing and mileage travelled." [14 pages, R-126].

New Mexico: Elliott, Erica v. Lovelace Health Systems and Cigna Associates Inc., No. 93-17355, 8 November 1994, decision of Rosa Valencia, Workers' Compensation Judge, finding that MCS was triggered by glutaraldehyde and Sick Building Syndrome for which employer had been given timely notice. Also supported Elliott's refusal to return to work in the buildings that made her sick buildings as "reasonable under the circumstances." Decision granted 3 months of temporary total disability pay followed by permanent partial disability for "500 weeks or until further order of the Court" [15 pages, R-113].

New York: Crook v. Camillus Central School District #1, No. W998009, 11 May 1990, decision

of Barbara Patton, Chairwoman, NY State Workers' Compensation Board specifies "modify accident, notice and causal relationship to multiple chemical sensitivity" and awarded continuing benefits of \$143.70 per week [1 page, R-108].

Ohio: *Saks v. Chagrin Vly. Exterminating Co Inc.*, No. 97-310968, 18 September 1997 [2 pages, R-151], decision of District Hearing Officer Arthur Shantz, recognizing claim of chemical sensitivity; and *Kelvin v. Hewitt Soap Company*, No. 95-599131, 5 June 1996 [2 pages, R-152], decision of District Hearing Officer Steven Ward, recognizing claim of multiple chemical sensitivity as "occupational disease" contracted "in the course of and arising out of employment."

Washington: *Karen B. McDonnell v. Gordon Thomas Honeywell*, No. 95-5670, 22 October 1996 decision of Judge Stewart, WA State Board of Industrial Appeals, recognizing "toxic encephalopathy" as an acceptable diagnosis for MCS-induced permanent partial disability [2 p, R-118].

THE CAP ON MEDICARE THERAPY SERVICES MUST BE REMOVED

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. GALLEGLY. Mr. Speaker, It has come to my attention that a pending change to Medicare policy enacted as part of the 1997 Balanced Budget Act will curtail access to needed outpatient therapy services for persons with severe disabilities and chronic health conditions. Effective January 1, 1999, this change limits payments for Medicare outpatient occupational therapy and physical therapy/speech-language pathology services (combined) to \$1,500 per beneficiary per year. This is an arbitrary limit that will cause thousands of Medicare beneficiaries with disabilities to forfeit necessary care in excess of the \$1,500 level, force them to switch health care providers when the \$1,500 cap is reached, or require them to struggle to pay for continuing services out-of-pocket. Individuals recovering from stroke, who have Alzheimer's Disease, or who have advanced multiple sclerosis are among the Medicare beneficiaries that often need therapy services beyond that available under the \$1,500 cap. It is these individuals and their families who will be hurt by this pending provision.

I know that major national consumer, professional, and provider organizations are calling for the repeal of this provision or, at a minimum, for a delay in its implementation. For the past six months, these groups have explained that such limits on rehabilitation services are necessary, are not grounded in rational policy, and will carry harmful consequences for Medicare beneficiaries. Despite much discussion, it appears that this Congress will conclude its work without addressing the \$1,500 Medicare cap issue.

I share the concern that many Medicare beneficiaries are at risk of losing access to need outpatient therapy services after January 1, 1999. I urge my colleagues to investigate the consequences of this pending change in Medicare payment and remedy the situation before it begins to cause serious harm to

beneficiaries with disabilities and chronic health conditions and their families.

MISPRINT ON THE STATEMENT OF MANAGERS ON S. 1260

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. DINGELL. Mr. Speaker, as Ranking Member of the Committee on Commerce and one of the conferees appointed on behalf of the House (September 16, 1998, CONGRESSIONAL RECORD at 20591), I rise to bring to the attention of the House a matter involving the conference report on S. 1260, the Securities Litigation Uniform Standards Act of 1998, and to correct the record.

The circumstances surrounding the publication—first of an incomplete conference report, and then of a conference report appending extraneous material—may be just another mix-up by the gang that couldn't shoot straight. On the other hand, worse.

To wit, the joint explanatory statement of the committee of conference on S. 1260, both as printed by the Government Printing Office (GPO) in Report No. 105-803 and as it appeared in the CONGRESSIONAL RECORD for Friday, October 9, 1998 at 24974, was incomplete. The final page mysteriously disappeared. Curiously, this page contained important language regarding scienter, recklessness, and the pleading standard applied by the Second Circuit Court of Appeals, language essential to the conference agreement. Even more mysterious, the official papers filed in the Senate on October 9th were complete and did contain the final page.

In order to clarify this situation, a star print of the complete conference report has been ordered from GPO. Also, during House consideration on October 13th, Commerce Committee Chairman BLILEY asked unanimous consent to include in the RECORD "a complete copy of the conference report on S. 1260" and made the following remarks:

When the conference report was filed in the House, a page from the statement of managers was inadvertently omitted. That page was included in the copy filed in the Senate, reflecting the agreement of the managers. We are considering today the entire report and statement of managers as agreed to by conferees and inserted in the RECORD.

Therefore, the complete joint explanatory statement of the committee of conference begins on page 26010 of the CONGRESSIONAL RECORD for October 13, 1998 and concludes on page 26011 where the names of the House and Senate Managers appear. The unidentified material that follows the names of the Managers, although erroneously printed in the same typeface as the conference report, an error that has been corrected by reprinting the material in the appropriate typeface and identifying its source in the October 15, 1998 CONGRESSIONAL RECORD at 26538, is not part of the conference report's joint explanatory statement and does not represent the views of the Managers. In point of fact, the phantom language directly contradicts the joint explanatory statement (the Statement of Managers).

In any event, it is the conference report itself, in particular the Statement of Managers, and not the dissenting views expressed by one or more Members, that reflects the agreement of both Senate and House conferees as to the bill's intended operation and consequences. The language of the Statement of Managers could not have been more clear and direct as to the bill's ratification of uniform pleading and liability standards:

It is the clear understanding of the Managers that Congress did not, in adopting the Reform Act, intend to alter the standards of liability under the Exchange Act . . . Additionally, it was the intent of Congress, as was expressly stated during the legislative debate on the Reform Act, and particularly during the debate on overriding the President's veto, that the Reform Act establish a heightened uniform Federal standard on pleading requirements based upon the pleading standard applied by the Second Circuit Court of Appeals.

The Statement of Managers on S. 1260 clarified confusion arising from the Statement of Managers on the 1995 Securities Litigation Reform Act. The 1995 Statement of Managers noted that the language of the pleading standard was "based in part on the pleading standard of the Second Circuit." However, the 1995 Statement of Managers also contained some murky language which, as the gentleman from Massachusetts, Mr. MARKEY, has correctly noted was slipped into a footnote by a staffer at the last minute without our knowledge or concurrence (October 13, 1998 CONGRESSIONAL RECORD at 26018), to the effect that the conferees "chose not to include in the pleading standard certain language relating to motive, opportunity, and recklessness." Largely, as a result of this language, the President vetoed the 1995 Reform Act for fear that it might be construed to mean that Congress was adopting a pleading standard even higher than that of the Second Circuit. Congress overrode the President's veto. As is apparent from the post-veto debate in both the House and the Senate, Congress did so, not because Congress wanted a pleading standard higher than the Second Circuit's, but because the pleading standard adopted in the Reform Act was, in fact, the Second Circuit standard.

Nevertheless, uncertainty and confusion quickly emerged in various District Court cases, to the delight of those who sought to undermine what the majority of Congress had concluded the pleading standard should be, but to the grave disadvantage of investors. Because of this uncertainty, the Administration and the SEC insisted that Congress restate the applicable liability and pleading standards of the 1995 Reform Act in the legislative history of this bill. That restatement was necessary to the legislative history of this bill because the liability and pleading standards from the 1995 Reform Act will apply to the class actions that are covered by S. 1260. The White House wrote to Senators D'AMATO, GRAMM, and DODD on April 28, 1998 that the Administration would support enactment of S. 1260 only "so long as amendments designed to address the SEC's concern are added to the legislation and the appropriate legislative history and floor statements of legislative intent are included in the legislative record," noting that "it is particularly important to the President

that you be clear that the federal law to be applied includes recklessness as a basis for pleading and liability in securities fraud class actions." Only after the Managers clarified that the 1995 Reform Act had not altered the substantive liability standards that allow investors to recover for reckless misconduct and that the Reform Act had adopted the Second Circuit pleading standard did the SEC agree to support enactment of S. 1260. The SEC's letter of October 9, 1998 to Senators D'AMATO and SARBANES states:

We support this bill based on important assurances in the Statement of Managers that investors will be protected. . . . The strong statement in the Statement of Managers that neither this bill nor the Reform Act was intended to alter existing liability standards under the Securities Exchange Act of 1934 will provide important assurances for investors that the uniform national standards created by this bill continue to allow them to recover losses caused by reckless misconduct. The additional statement clarifying that the uniform pleading requirement in the Reform Act is the standard applied by the Second Circuit Court of Appeals will likewise benefit investors by helping to end confusion in the courts about the proper interpretation of that Act. Together, these statements will operate to assure that investors' rights will not be compromised in the pursuit of uniformity.

The Second Circuit standard allows plaintiffs to allege facts showing either (a) the defendant had a motive and opportunity to engage in the fraud, or (b) the defendant acted either recklessly or knowingly. Dissenters argue that Congress meant to eliminate allegations of motive, opportunity and recklessness. This is flat wrong. It is simply not logical or believable to argue that we adopted a pleading standard "based upon" the Second Circuit standard, but yet rejected allegations of motive, opportunity, and recklessness—core elements of that standard. Allegations of recklessness or motive and opportunity continue to suffice as a basis to plead fraud. This is necessary and appropriate in the public interest, for the protection of investors and the maintenance of fair and honest securities markets.

TRANSFERRING THE OFFICE OF MOTOR CARRIERS

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. WOLF. Mr. Speaker, I rise today to bring to the attention of the House an important development in the safety of our nation's highways: transferring the Office of Motor Carriers (OMC) from the Federal Highway Administration (FHWA) to the National Highway Traffic Safety Administration (NHTSA).

Mr. Speaker, as the members of the body know, the Office of Motor Carriers monitors an important component of our country's economy: the trucking industry. Not only does OMC monitor and enforce compliance with rules, regulations, and laws, it is expected to improve the safety of trucks that share the road with passenger vehicles.

After learning alarming statistics about truck safety violations and truck accident rates, the

House transportation appropriations subcommittee included a provision in the FY 1999 Department of Transportation appropriations legislation to transfer OMC to NHTSA. Our Senate colleagues agreed. That office transfer, in my opinion, is not only bold, but necessary. It will save lives.

Now, we see, though, that the trucking industry lobby convinced some in Congress to strike the transfer provision from the omnibus appropriations legislation, which includes the transportation spending bill. I am extremely disappointed that the OMC provision has been dropped.

I understand that assurances have been given that comprehensive hearings to investigate truck safety will be held early next year on this critical safety issue in both the House and Senate authorizing committees. I pledge, too, that the House transportation appropriations subcommittee will not let this matter drop. We will also hold hearings on highway and truck safety and how the mission of OMC could be enhanced by transferring the office to NHTSA.

In addition, because the issue of truck safety is literally one of life and death, I have written the Inspector General at the Department of Transportation and the General Accounting Office asking that both investigate the truck safety issue. Copies of those letters are submitted for the record. I continue to believe that the Office of Motor Carriers should be transferred to the nation's top highway traffic safety office, and our colleagues should know that this matter will continue to be at the top of our agenda.

With regard to the trucking industry, there can be no higher priority than improving safety. However, it is not clear that the industry believes safety is its number one priority. Let me share some alarming statistics with you:

Commercial trucks represent just 3 percent of all registered vehicles in the United States, but they were involved in 13 percent of the total traffic fatalities in 1997.

Over the past ten years, the fatal accident rate for all vehicles has been declining. However, commercial motor vehicle accidents, fatalities, and fatality rates are increasing. Last year 5,335 people died on U.S. roads in accidents involving heavy trucks. The national figure reflects a 4.5-percent increase in truck-related deaths from the prior year and is this decade's highest one-year tally so far.

One out of eight traffic fatalities in 1997 resulted from a collision involving a large truck. Large trucks are more likely to be involved in fatal, multiple vehicle crashes.

Over the past eight years, the Department of Transportation's Federal Highway Administration has not been able to significantly reduce the number of commercial motor vehicles or drivers operating on our roadways that are not fit to be in service. One in five trucks is operating with mechanical defects so serious that the truck is legally not allowed to continue the trip until the problems are corrected. Eight percent of the drivers are placed out-of-service. Neither of these statistics has altered significantly since 1990.

In 1997, the Virginia State police conducted 42,256 motor carrier inspections. Of those trucks inspected, the state police found 25,221 defects (60 percent) and 19,861 drivers in vio-

lation (46 percent). I submit for the RECORD a report I received from the Virginia State Police with those alarming statistics.

The Department of Transportation's Inspector General (IG), in a review of the motor carrier safety program, concluded

that FHWA's enforcement efforts were not effective in inducing prompt and sustained compliance with regulations and safe on-the-road performance. Seventy five percent of the carriers sampled did not sustain a satisfactory rating, and after a series of compliance reviews, 54 percent of the carriers had vehicle out-of-service rates from roadside inspections higher than the national average.

There is a growing concern that trucks are dangerous. I want to be clear, though, that I believe many in the trucking industry work hard to maintain safe trucks. To be sure, however, there are a number of trucks operating on the nation's highways which are unsafe and dangerous. This concern is worsened by the fact that most of the fatal injuries in trucking accidents are to the occupants of the other, typically smaller, vehicle. It is because of these concerns that I, as chairman of the House Appropriations Subcommittee on Transportation, recommended moving OMC from FHWA to NHTSA, because the functions of OMC are much more closely aligned with those of NHTSA. The National Highway Traffic Safety Administration as its name implies, is focused on safety.

Moving OMC to NHTSA would strengthen and consolidate the Department of Transportation vehicle safety programs. A single modal administration can provide a more consistent and synchronous safety program and agenda. An agency with a consolidated safety focus will see the entire safety picture rather than a system where one agency looks at truck safety and another looks at passenger care safety, as is currently in place. After all, trucks and cars share the same roads.

With the striking of the OMC transfer provision, I believe, safety will be diminished and lives will be lost. More accidents will occur like the one last month in Knoxville, Tennessee. According to the accident report, a tractor-trailer came upon traffic stopped because of construction several miles ahead. The truck, running at almost 70 miles per hour, ran into the back of a sport utility vehicle, knocking it into a concrete barrier; sideswiped another tractor trailer while swerving into the right hand lane; and smashed into the back of a van, pushing it into the trailer of a third truck in front. The van immediately exploded. The lone occupant of the sport utility vehicle and the lone occupant of the van were killed immediately. None of the truck drivers were injured. This is emblematic of the fears most Americans hold for heavy trucks every day they are on the Nation's highways.

Knowing that information about trucks on our highways just increases my disappointment that the office transfer will not occur this year. My view that such a move will save lives is also shared by The Washington Post, which said in a September 19, 1998, editorial:

The office of motor carriers is responsible for truck safety requirements such as the length and weight of the vehicle and the time a trucker may drive; the logical home for this office is in the agency that deals with other vehicle safety issues.

The full editorial is submitted for the RECORD.

Our colleagues should also know I received a recent letter from an employee at OMC who said,

I just want you to know that you have a great deal of support from the actual workers within the Office of Motor Carriers. *** [T]he average investigator completes 1 compliance review per month. Last year it was 2.5 compliance reviews per month and the year before it was more than five compliance reviews per month and so forth. *** I think OMC should get moved to NHTSA. Clearly, nobody at the top within the FHWA recognizes the importance of compliance and enforcement. According to the impact assessment model developed within OMC, compliance reviews save lives. Why aren't we doing enough of these? ***

Mr. Speaker, indeed, why aren't we doing enough? I pledge to our colleagues that we will focus our effort and energy next year to shining the spotlight on truck safety in America, and to finding the answer to that critical question.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON APPROPRIATIONS,
Washington, DC, October 20, 1998.

Mr. KENNETH MEAD,
Inspector General, Department of Transportation, Washington, DC.

DEAR MR. MEAD: I am writing to request that the Inspector General (IG) update its 1997 audit report on the Motor Carrier Safety Program. On March 26, 1997, you concluded "that FHWA's enforcement efforts were not effective in inducing prompt and sustained compliance with regulations and safe on-the-road performance. Seventy five percent of the carriers sampled did not sustain a satisfactory rating, and after a series of compliance reviews, 54 percent of the carriers had vehicle out-of-service rates from roadside inspections higher than the national average".

I have received information from Federal Highway Administration (FHWA) employees who are concerned about the level of compliance and enforcement activities being conducted. This letter states that "[T]he average investigator completes 1 compliance review per month. Last year, it was 2.5 compliance reviews per month, and the year before it was more than 5 compliance reviews per month". Information our Subcommittee has obtained from the Federal Highway Administration confirms this decline. I am concerned that this is having a negative and growing impact on truck safety. Your investigation should address, but not be limited to, the following areas:

1. A review of the number of compliance reviews conducted by FHWA in fiscal years 1995, 1996, and 1997. As part of this investigation, the IG should determine whether or not FHWA has targeted poor performance carriers for these compliance reviews and what impact these reviews have had on the overall safety ratings of these carriers.

2. An analysis of the enforcement actions taken by FHWA to determine whether or not the enforcement program has been strengthened since your earlier audit.

3. A determination of the adequacy of the penalties assessed for continued noncompliance.

I would appreciate a briefing on this issue prior to our hearing on the Federal Highway Administration's 200 federal appropriations, which is tentatively scheduled for late February or early March, 1999. A report should follow shortly thereafter.

If you have any questions about this request, please contact Stephanie Gupta of the Subcommittee staff on (202) 225-2141.

Sincerely,

FRANK R. WOLF,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON APPROPRIATIONS,
Washington, DC, October 20, 1998.

Acting Comptroller General JAMES HINCHMAN,
General Accounting Office,
Washington, DC

DEAR MR. HINCHMAN: There is a growing concern that trucks are dangerous. Currently, commercial trucks represent just 3 percent of all registered vehicles in the United States, but they are involved in 13 percent of the total traffic fatalities. Over the past ten years, the fatal accident rates for all vehicles have been declining; however, commercial motor vehicle accidents, fatalities, and fatality rates are increasing.

I am writing to request that the General Accounting Office conduct an investigation on the effectiveness of the Federal Highway Administration's motor carrier safety program in reducing truck accident and truck safety violations in the United States. This review should focus on trends since 1990.

I would appreciate a briefing on this issue prior to our hearing on the Federal Highway Administration's 2000 federal appropriations, which is tentatively scheduled for late February or early March. A report should be issued by June, 1999.

If you have any questions about this request, please contact Stephanie Gupta of the Subcommittee staff on (202) 225-2141

Sincerely,

FRANK R. WOLF,
Chairman.

COMMONWEALTH OF VIRGINIA,
DEPARTMENT OF STATE POLICE,
Fairfax Station, VA, August 28, 1998.

Hon. FRANK R. WOLF,
Herndon, VA.

DEAR CONGRESSMAN WOLF: On August 26, 1998, members of the Coalition for Safe Roads met with you at your Herndon office to discuss legislation relative to trucks with triple trailers using our highways. I was invited to attend, and spoke to you about the number of motor carrier checks our troopers had conducted during 1997.

During the meeting you expressed interest in the statistical information the Virginia Department of State Police had concerning motor carrier checks and the drivers and trucks/buses placed out-of-service. I have outlined below statistical information for both the entire State of Virginia during the calendar year of 1997:

Inspection summary	Statewide	NOVA
Inspections conducted	42,256	13,915
Drivers in violation	19,861	5,250
Defective vehicles	25,221	7,721
Drivers taken out-of-service	3,627	1,034
Vehicles taken out-of-service	8,982	3,117
Out-of-service violations	18,692	6,262
All other violations	90,269	24,660

The all other violations row above includes all deficiencies found, and an arrest, summons or warning was given.

I greatly appreciate the opportunity to speak with you about the issue of highway safety specifically as it relates to trucks and tractor-trailers. Your support for highway safety is most important in providing America's citizens a safe means of travel. If my staff or I can be of assistance to you, we may be contacted at 703-323-4500.

Thanks again.

Sincerely,

DONALD P. GARRETT,
Captain,
Division Seven Commander.

[From the Washington Post, Sept. 19, 1998]
ROAD SAFETY—AND HILL PITFALLS

A House-Senate Transportation appropriations conference is wrestling to resolve differences over two important highway safety issues that shouldn't even be in dispute: the identification of trucks carrying agricultural chemicals, and a proposal to consolidate federal highway safety responsibilities under a single agency best organized to do the job.

The battling over hazardous-materials warnings has to do with a federal requirement that, effective Oct. 1, trucks carrying agricultural chemicals such as fertilizer, pesticides, herbicides and insecticides must carry placards identifying the material on board and providing an emergency telephone number. Rep. Frank Wolf (R-Va.), chairman of the transportation appropriations subcommittee in the House, explains that the placards will provide emergency response teams with important information on the substances they are called upon to handle. For instance, a truck carrying topsoil should be handled quite differently from one transporting ammonium nitrate.

In the Senate bill, an exemption to the placard requirement has been granted for a number of states. Opponents claim the identification requirements burden farmers. It can't be much of a financial burden, though: Advocates for Highway and Auto Safety, which supports the requirement, calculates the cost of 58 cents a placard. The lack of a placard advising rescue teams of what is on board could cost lives. Dozens of national and local firefighting units oppose any weakening of the provisions.

The second proposal involves more than a mere shift of boxes on federal agency flow charts. It would relocate the Transportation Department's Office of Motor Carriers—which oversees trucking laws—from the Federal Highway Administration to the National Highway Traffic Safety Administration, which focuses on safety. The point: The office of motor carriers is responsible for truck safety requirements such as the length and weight of the vehicle and the time that a truck may drive; the logical home for this office is in the agency that deals with other vehicle safety issues.

ON EDUCATION AND DRUGS

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. SOLOMON. Mr. Speaker, there is something missing from the recent education debate . . . and what is missing is President Clinton's record on illegal drugs and its effect on the America's education system.

The media seem to buy the Democrat's claim that they care more about education than do Republicans. What seems to be missing from this debate—or what the media seems willing to ignore is the fact that illegal drug use by school age children has doubled since President Clinton took office. Studies show that illegal drug use—including marijuana—robs students of their motivation and

self-esteem, leaving them unable to concentrate and indifferent to learning.

There is not a parent in America who sends their children off to school without worrying that they will become exposed to illegal drugs. And it's not just teenagers anymore.

Parents are now concerned about their 6th, 7th and 8th grade children getting involved with illegal drugs. Since 1992, marijuana use has jumped 150% among 12 and 13 year old students and 300% among high school students.

For the first time, more than half of all middle-school students report that illegal drugs are used, kept and sold at their schools.

During the Reagan/Bush years drug use dropped, from 24 million individuals using drugs in 1979 to 11 million in 1992. These hard fought gains were wasted by President Clinton.

The number one reason young people drop out of school is because of their involvement with illegal drugs. In a study conducted among a sample of 9th to 11th graders, more than half of the heavy drug users dropped out—twice the rate of those who are drug free.

Studies also show that students involved with drugs are four times more likely to receive poor grades than are drug free students. The rise in illegal drug use also correlates closely with rising school violence.

Today in America, one third of high school students smoke pot. The message we need to send America's parents and grandparents in the education debate is that President Clinton has earned a failing grade in keeping illegal drugs out of the hands of their school aged children and grandchildren.

You cannot claim to be an education President while ignoring rising illegal drug use in America's schools.

LATIN AMERICA: CHALLENGES TO STABILITY

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. GALLEGLY. Mr. Speaker, as 1998 draws to a close, four countries in the Western Hemisphere bear close observation. Events taking shape in those nations could have a substantial impact on the region's stability, the pace of democratization and the success of economic reform. These nations worth watching include: Brazil, Colombia, Venezuela and Paraguay.

BRAZIL

As the contagion of the "Asian/Russian" financial crisis spreads into Latin America, the next three months could be critical to the economic and political stability of the hemisphere. All eyes are currently focused on Brazil and its attempts to stave off the effects of the Asian flu. A major financial downturn in Brazil, the region's third largest economy and the world's ninth largest could spell economic trouble throughout the entire region, including within the United States.

Brazil is by far the most important economy in South America. With a population of 157 million, Brazil's Gross Domestic Product

(GDP) stood at approximately \$806 billion in 1997. Brazil accounts for some 45 percent of all Latin America's GDP. U.S. banks have some \$34 billion in outstanding loans to Brazil and over \$100 billion in Latin America. U.S. private investment in Brazil stands at \$25 billion and trade between the U.S. and Brazil ranges around \$16 billion. Since August, however, Brazil's stock market has plunged 40 percent and its cash reserves have plummeted \$30 billion. This, in turn, has forced interest rates up to 50 percent and has resulted in a budget deficit of 7 percent of GNP, twice what it was when Cardoso first took office. Deficit spending has led international and domestic short term investors to pull out of Brazil in record numbers. Finally, the nation's currency, the "Real", is considered overvalued but stable.

In the midst of all this turmoil, Brazil held elections on October 3rd for president and parliament. These elections marked a very significant transition for Brazil in that President Cardoso became the first civilian president since military rule both to take over from a civilian predecessor as well as to succeed himself in office. He won this election with roughly the same percentage of the vote as he did four years ago.

President Cardoso, a former university professor, is the inflation-taming engineer of the country's economic turnaround which has been faltering of late. The current economic crisis is due to effects from the Asian crisis, as well as from a still bloated state sector and a very generous pension system. The voters, however, chose not to blame him for the crisis, but rather the global economic circumstances. Mr. Cardoso has remained for the most part on message regarding Brazil's commitment to free market reforms and the IMF's and other lenders' demands for continued austerity and reform. His new economic plan calls for spending cuts of over \$20 billion, some tax increases and a reform of the nation's pension system. The IMF has readied a \$30 billion package of international credit.

Unfortunately, Cardoso's tenacity may not be matched by the same attitude in his legislature; the President still must negotiate with a parliament that has many reasons to oppose further reforms and austerity. Nevertheless, his job may have been made slightly easier with the recent elections for parliament. While his five-party coalition actually lost a few seats overall, the President's hand was strengthened in that his own party increased its representation within the coalition, and the more moderate leftists increased their representation among the opposition. In short, Mr. Cardoso should have greater control over his coalition, and the left might be more willing to cooperate. The wild cards are the fact that almost half of the new parliament, to be seated in February, will be freshman whose loyalties are not known, the role the powerful governors will play in securing local support for reform, and the fact that the most important measures, pension and civil service reform, require constitutional reform and thus three-fifths votes. To that end, the President is considering a proposal to hold a constituent assembly next year to permit changes to the Constitution by a simple majority vote in the Parliament.

Brazil's economic fate will spell either relief or trouble for the rest of Latin America. If the Brazilian government can keep the economy from sliding further and can initiate major economic reforms, then as the situation stabilizes, international investors will return to Brazil, thus avoiding the dramatic consequences experienced by Asia and Russia.

COLOMBIA

On June 21, the Colombian people voted in record numbers and elected Andres Pastrana as their new President. The large turnout of voters was seen as an expression of support for a peaceful resolution of the conflict which has engulfed all of Colombia for the past four decades.

President Pastrana has taken over a country in which a guerrilla force of 20,000 armed soldiers has fought the government to a military standoff with neither side capable of securing a final battlefield victory. The guerrillas, who are financing their war effort largely from the narcotics trade, have grown stronger and inflicted serious defeats on the military in 1998. The Colombian army has been demoralized through its battlefield losses and is still regarded as ill equipped and ill-trained to continue to wage a prolonged war. U.S. assistance to the military, desperately needed, is restricted under a U.S. congressional mandate that allows aid to go only to units cleared of human rights violations. In addition to the guerrilla war in certain parts of the country the government has ceased to function and law and order has long since disappeared. The rise of paramilitary armies, which have waged an indiscriminate war against the civilian population in the name of fighting the guerrillas, and who also draw financial support from an involvement in the drug trade, have injected a new level of violence which can not seem to be controlled by the government.

Even before taking office, President-elect Pastrana, attempted to fulfill this principle campaign pledge of bringing an end to the 38 years of internal guerrilla war by meeting secretly with the leader of the largest guerrilla group, the FARC were they discussed the possibilities for peace. Upon taking office on August 7, 1998, President Pastrana announced that peace talks with the guerrillas would begin in November and that, as a prelude to those talks, he was embarking on a bold plan to turn a large swath of central Colombia into a temporary "demilitarized zone" in which peace talks with the two main guerrilla groups could commence.

To that end, on October 15, President Pastrana announced that some 4,000 Colombian soldiers would begin withdrawing from the "zones" which would be totally demilitarized by November 7. The demilitarization of these "zones" would last until February, depending upon the success of the talks. This plan has been both hailed as a bold gamble, which could lead to a substantial amount of good-will among the guerrilla leadership, as well as criticized as a guerrilla trick which would only serve to allow the guerrillas to use the "zones" and the time to rearm and retrain their forces for a major military push next year. And, while fighting within the "zones" will apparently cease, there is no general nationwide cease-fire which is expected to result in the guerrilla and Colombian military units continuing to battle in other parts of the nation

even as this long peace process continues forward.

Internal reaction to President Pastrana's plan has been one of cautious optimism among the populace. Except for inside the "zones", which had been subject to considerable guerrilla influence anyway and where the population is nervous about living under de facto guerrilla control, the move is seen as a necessary gambit to test the intentions of the guerrillas to seek peace. Even the military, which has expressed its doubts, now realizes that it, too, can use the time to concentrate forces in other parts of the country or to rearm and retain their forces in the event these talks break down and fighting escalates.

U.S. reaction to the plan has been mixed. President Pastrana must be given the benefit of the doubt and supported in his attempts to carry out his mandate of peace in the manner he believes is best. However, concern has been expressed over his plan's impact on the counter narcotics program within the country. The Pastrana government insists that very little antinarcotics activity has been carried out by the police in the "zones." However, there has been a substantial amount of drug activity reported in those areas. Some in the United States have warned the Colombians not to allow the "zones" or the peace talks to interfere with the anti-drug campaign.

The peace talks are set to begin in early November. The U.S., and all of Latin America, will be watching the progress of these discussions very closely as well as the activities of the guerrilla forces outside the "zones."

VENEZUELA

Venezuela, suffering a severe economic crisis due to a crippling drop in world oil prices, faces perhaps its most severe political test since the attempted military coup of 1992, when it will hold legislative elections in Early November and a presidential election early in December. These elections represent a turning point for Venezuela, but this turning point contrasts sharply with that of Brazil. For the United States, the outcome could cause significant trouble since over 50 percent of our oil imports come from Venezuela.

Ironically, the 1992 coup leader, retired Lt. Col. Hugo Chavez, who was pardoned by current President, Caldera after spending two years in prison, is posed to win the December 6th Presidential elections. It is reported that he may have some ties to leftist guerrillas in Colombia as well as in his own country; and he has at various times vowed to "deep fry the heads" of his opponents. Even more problematic, he has, on occasion, vowed to cut off most of the nation's financial and trading relationships with other countries, including its lucrative oil industry contracts. Recently, as the election nears and his lead has slipped a bit and the United States grows more nervous, he has tried to soften his rhetoric by promising to maintain Venezuela's thriving, partially privatized oil industry. But critics are not impressed, especially when they consider his group of advisers: a group of extremists of both the left and the right.

Also worrisome is the fact that the military is divided over his candidacy. Many of the junior officers down to the rank and file see him as much of the country's poor see him: as a new generation politician. But the higher ranking of-

ficers regard him as the middle and upper classes of society see him: as a self-infatuated egoist bent on nationalizing what is left of Venezuela's economy and upsetting the country's tenuous social cohesion, regardless of whether or not he really wants to help the poor and root out the notorious corruption of Venezuelan politics.

The traditional parties, viewed from within a large part of Venezuelan society as extremely corrupt and discredited, are given little chance of defeating Chavez. The chances of the many other independent candidates for president (including a former beauty queen) of winning are almost non-existent. So far, the two major political parties, the AD and COPEI, as well as some of the smaller parties, have focused on the legislative and gubernatorial elections as a way to secure a power base.

This year the government separated the legislative and local elections from the presidential election so that they might, by virtue of a lower turnout and their very panicked and thus motivated base, hold onto power in the national legislature and at the regional and local level. It is too early to tell whether they will achieve this, but if they do it could well set the country up for a showdown between a victorious Chavez and all the rest of the country's governmental system.

U.S. observers see only one possible option: that after the November elections, all independent candidates for president will coalesce around one candidate, perhaps, the pro-business and pro-reform successful former governor, Henrique Salas Romer. He is currently second in the polls, but still not within striking distance. Moreover, this scenario is not without danger: if the lower classes perceive that the middle and upper classes are cooperating to defeat their candidate that may energize even more dedicated voters for Chavez and increase their resolve to turn out on election day. Worse, if Chavez loses after leading in the polls for so long and by so much, he has already said he will blame fraud and order his "troops" into the streets. Chavez has already accused the head of the army of plotting to deny the election to Chavez which in Chavez's words could "provoke civil war." This could set off a period of violent instability throughout the country.

PARAGUAY

On May 10, Paraguay held only its second democratic election for President since the end of the 35-year dictatorship of General Alfredo Stroessner. The election of Raul Cubas Grau represented the first civilian leader to succeed another as Paraguay's President. But the Administration of President Cubas, barely three months old, faces a potential constitutional crisis which threatens the struggling democracy. This crisis has been precipitated by the role of the real beneficiary of Paraguay's recent elections—former General Lino Oviedo.

In April 1996, after a brewing internal feud between then-President Juan Carlos Wasmosy and General Lino Oviedo, head of the Paraguayan armed forces, Oviedo was fired. Not willing to go quietly, General Oviedo retired to his barracks and staged what was described as a modest coup attempt against President Wasmosy, calling for the President to step down. However, the situation was con-

sidered serious enough that representatives of Paraguay's neighboring counties and the Secretary General of the OAS felt it necessary to intervene to convince General Oviedo to end his rebellion. As a result of the intervention, a compromise was reached in which General Oviedo would end his coup and retire, and would then be given the portfolio of Minister of Defense. Oviedo agreed and the rebellion ended. However, in the ensuing period, public opposition arose against the deal, and the General, leading President Wasmosy to void the agreement. General Oviedo left the capital vowing to run for President.

In 1997, in preparation for the upcoming elections, a split developed within the ruling Colorado political party, which had governed Paraguay for more than 50 years. The debate pitted sitting President Juan Carlos Wasmosy and his choice of a successor, Luis Argana, against the resurgent former General, Oviedo, who had formed his own party within the Colorado organization. In September of 1997, in a surprise which shocked everyone observing Paraguay, General Oviedo won the Colorado party nomination for President. He nominated Raul Cubas as his candidate for Vice-President and embarked on an ambitious and skillful campaign.

In December of 1997, President Wasmosy, not wishing to turn control of the government over to his arch enemy, General Oviedo, had Oviedo arrested on charges of sedition related to the 1996 attempted coup. In February, 1998, a Wasmosy-appointed military tribunal convicted Oviedo and sentenced him to ten years in prison. In mid-April the Supreme Court upheld the tribunal's sentence which automatically nullified Oviedo's candidacy and threw the Presidential campaign into disarray. The Colorado party then elevated Raul Cubas to be the Presidential candidate and appointed Luis Argana as Vice Presidential candidate. On May 10, Raul Cubas was elected President of Paraguay, but the vote was seen more as a vote for Oviedo than for Cubas.

After his election, Cubas indicated that one of the first things he would do would be to free ex-general Oviedo from jail. In reaction, the parliament passed a law limiting presidential pardons by stating that a prisoner had to serve at least half of his sentence before being granted a pardon.

Shortly after taking office on August 15, and despite the new law, President Cubas announced that he was commuting Oviedo's ten-year prison sentence and would release him from jail. This action has set off a chain reaction of events which has threatened the very foundation of Paraguay's politics and its democracy. Immediately after his decision to commute the sentence, a group of opposition lawmakers in the Parliament petitioned the Supreme Court to overrule the pardon and to order Oviedo back to prison. In addition, several lawmakers began searching for a way to have President Cubas impeached. And, several members of Cubas' cabinet, including the President's brother, the Commerce Minister, resigned in protest.

The Supreme Court is currently trying to decide whether to hear the petition to overrule the Presidential pardon. However, it is reported that Oviedo has threatened reprisals against anyone trying to uphold the Parliament's petition and is preparing to defend

himself against any attempts to do so. It is unclear whether President Cubas would uphold the laws of the state and would permit the re-arrest of Oviedo should the Supreme Court rule that way. It is also reported that President Cubas may be threatening the four Supreme Court Justices who have not yet attained what would be considered lifetime tenure on the Court with those appointments.

This crisis between the executive, the legislature and the court has shaken the foundation of Paraguay's government and could set the stage for a possible military action if the issue is not resolved peacefully. It is incumbent upon the actors in this crisis to resolve their differences so that democracy is preserved, that the separation of powers among the three branches of government is upheld and that the rule of law prevails.

A TRIBUTE TO JANET BROWN

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. KLECZKA. Mr. Speaker, I rise today in tribute to my Administrative Assistant, Janet Brown. In a few short weeks Janet will be leaving my office for the greener, or perhaps whiter, pastures of Minnesota. Janet and her fiancé, Don Kitson, are planning a wedding next year and will soon start the construction of their own airplane. I am certain that Don and Janet have a wonderful future ahead of them—if she can survive five years of working for me, she can survive at least fifty-five years of marriage with Don.

We all recognize the importance of congressional staff. Unfortunately, far too many of them come and go on short notice. Fortunately for my office and the constituents of the Fourth Congressional District of Wisconsin, Janet has not simply come and gone. Instead, she has sacrificed herself for all of us, be it through long hours at the office, helpful advice to a colleague, or timely service for a constituent.

Janet has been a model of perseverance and dedication. In 1993, Janet came to work for me as a Staff Assistant and she leaves as my Administrative Assistant. In those five years, Janet has held nearly every position in my office. I am sure there were many times Janet went home, frustrated after a long day at the office, determined to move on to another job. To her credit, Janet always returned the next day with a smile on her face, eager to work.

Janet is also a breast cancer survivor. Instead of succumbing to this awful disease, Janet conquered it. She never doubted her ability to persevere, and she is stronger person for it. More important, Janet now lends her time to help other women who have been diagnosed with breast cancer.

Because so many of our staff come and go, we get into a habit of thinking that staff are interchangeable parts—if someone leaves, another will step in and take their place. Some staffers do not stay in one place long enough to make an impression, others are harder to replace because of their special qualities. And

there are a select few like Janet Brown who are never truly replaced.

Because Janet has held nearly every position in my office and has faced such difficult challenges, the other members of my staff constantly turn to her in times of need. Persons new to the office look to her for advice, and veterans appreciate her unique ability to be both a colleague and friend. When Janet departs my staff in a few weeks, she will be leaving behind an office that is stronger because of her years of service.

Janet has also become a close friend of my family. Just as the other staff members rely on her for help, so do we. Our dog and office mascot Colby will miss the hours of undivided attention he received from Janet. My wife and I truly appreciate all the times Janet has helped us through the last-minute emergencies and scheduling changes that are inherent to a career in Congress. Because of those times Janet will always have a special place in my heart and on my auto insurance record.

Mr. Speaker, I and the entire staff are saying goodbye not only to a truly great professional, but a truly great friend as well. Janet, we wish you the best of luck and our deepest and most heartfelt thanks.

A TRIBUTE TO THE HON. DAN SCHAEFER

HON. JOE SKEEN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. SKEEN. Mr. Speaker, I rise to pay special recognition to the gentleman from Colorado (Mr. SCHAEFER) who is retiring from Congress at the end of the 105th Congressional session.

I am honored and pleased to have served with DAN SCHAEFER throughout my tenure in the House of Representatives. Working together, we have served as members of the minority and majority party in Congress and have always held principle over politics.

We are going to miss Mr. SCHAEFER next session. Throughout his distinguished career in the House, he has served his constituents from Colorado and the United States with honor and distinction.

DAN will be remembered here for many notable legislative accomplishments. Passing the Federal Facilities Compliance Act ensured that those of us with Federal facilities in our districts received the same level of environmental protection as everyone else in the country. He was and is a major player in helping us in New Mexico streamline the bureaucratic process to get the Waste Isolation Pilot Plant up and running—and while we're still not there yet, we're a lot closer today because of DAN SCHAEFER's efforts and I look forward to riding shotgun on that first truck with him.

Mr. SCHAEFER also helped spark the national debate on reforming our nation's tax code. His legislation to eliminate income tax raised a lot of eyebrows, but also raised the national awareness of the mess our tax system is in. I also recall that DAN was talking about a balanced budget long before the ma-

jority of our colleagues in Congress. His balanced budget legislation, introduced in the 103rd Congress, was the blueprint for many subsequent bills, and saw its fulfillment in the Balanced Budget Act passed by this Congress.

While I have just scratched the surface of DAN's distinguished career, it is a pretty impressive list of accomplishments. Just as impressive, though, has been DAN's non-legislative accomplishments. As manager of the Republican baseball team, he turned the event from a back-alley pepper game into a major-league success, to the point where the game now gets nationwide radio and TV coverage, and helps support a number of worthy charities in the Washington area. I know I've enjoyed his participation in the Western Caucus and the Wild Turkey Club, where Members facing similar problems and with similar constituencies are able to work through the difficult issues facing Congress in a sober and thought-provoking atmosphere. While Congress as an institution will certainly be poorer without DAN's presence, I also know that many Members will suffer a personal loss from his retirement as well.

In closing, I sincerely wish DAN SCHAEFER and his family all the best and look forward to the day the Colorado Rockies name him as their Manager. Good luck and God bless you DAN, we'll miss you around here.

RETIREMENT TRIBUTE TO BOB BOYER

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. BERMAN. Mr. Speaker, this election day Robert Kent Boyer will be retiring from government service. Bob has been a close friend and colleague to many members and staffers in the Congress. His career has been marked by a long commitment and deep dedication to America's place in the world.

Bob worked his way up from hardscrabble beginnings in Arkansas through perseverance and elbow grease. He served our nation in the United States Air Force before coming to the U.S. Congress as a staffer in 1968. Bob served on the staffs of Senator John McClellan and Representatives Allard, Lowenstein, WILLIAM ROTH and William Mailliard with distinction. In 1971, Representatives Thomas (Doc) Morgan, Chairman of the Committee on Foreign Affairs and Representative Mailliard, the Ranking Minority Member appointed Bob to the professional staff of the full Committee on Foreign Affairs, where he worked for more than 22 years.

During his tenure on the Hill, Bob oversaw some of this nation's most important international work in combating narcotics, improving diplomatic security, fighting terrorism and assisting refugees who were the innocent victims of conflict and disaster.

In 1993 Bob was appointed as the Senior Deputy Assistant Administrator for Legislative and Public Affairs at the U.S. Agency for International Development, a post he still holds. Bob's sage counsel and abiding knowledge of

international affairs has helped USAID make it through some of its most difficult times. I know Bob's colleagues at USAID will miss him every bit as much as we will.

In closing, let me just say that Bob Boyer is genuinely one of the kindest, most warm-hearted and talented people I have had the pleasure to work with. We will miss seeing him in his cowboy boots dispensing advice during the authorization and appropriations process. I wish he and his lovely wife, Sandy, and daughter, Vanessa, the very best in his retirement. He has served the country well and in the best tradition of government servants everywhere.

REGARDING STEEL IMPORTS

SPEECH OF

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 1998

Mr. DOYLE. Mr. Speaker, I rise today to urge support for the resolution offered by my colleague from Ohio. Along with my friends from Indiana and Ohio, and many other Members of the House who have been working to get debate and a fair vote on this issue—I am deeply concerned about the current crisis in the U.S. steel industry. We are worried about this steel crisis and we want to send a strong message to the White House.

The U.S. steel industry and its workers are suffering tremendously from reduced orders, as a result of dumping by Asian and Russian producers. But the Administration has not acted to stop this illegal practice.

The Members of the European Union have been smart enough to protect their steel industry from dumping by erecting temporary barriers to steel imports during the financial crisis. Their steel industry will weather this storm.

American steel workers—the most efficient in the world—cannot continue to be besieged by foreign steel products while waiting indefinitely for trade cases to be settled. Damage to the American steel industry is extensive, severe, and rapidly growing.

I want to say that I do think there is a legitimate role for the United States, Japan, the European Union, and others to play, together, to help Russia and the newly industrialized Asian countries get through this economic crisis. But the American steel industry cannot and should not shoulder the burden alone.

Just recently, just in the Pittsburgh area, Riverview Steel in Glassport, and a number of other steel producers have been forced out of business by unfair imports. Steel has already been through tough times in our lifetimes—but the industry has come back more competitive than ever. The current steel crisis is an external, macroeconomic problem that is unfairly impacting American workers. We already have the laws in place to address this problem. We need to act now to stop another hollowing out of American industry, by acting to stop illegal dumping.

This House must act today to urge concrete measures on the Administration to stop the flow of dumped steel. The Traficant Resolution

makes the strongly worded statement that needs to be made on this subject. Although it's non-binding, the Traficant Resolution would call on the Administration to investigate these low-priced steel imports for 10 days. If the Asians, former Soviet states, or anyone else is flouting international trade agreements, the President should impose a 1-year ban on steel imports from that country. By asking for these actions, the Traficant Resolution is making a real statement. This is not just some toothless piece of paper that would make this issue go away. Because this issue will not go away.

I urge my colleagues to think over this serious problem, and vote in favor of the Traficant Resolution.

HONORING REVEREND DR. ERIC R. FIGUEROA, SR. BISHOP-DESIGNATE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. TOWNS. Mr. Speaker, I rise today to honor Reverend Dr. Eric R. Figueroa, Sr. Bishop-Designate. A man of vision, devotion and tireless service to others in the spirit of God.

Reverend Dr. Eric R. Figueroa, Sr. was born on February 15, 1954 in New York, NY and is the oldest of three children born to Elder Ronald L. Figueroa and Mother Minnie M. Figueroa. He is the husband of Evangelist Doreen Figueroa for 23 years, and the father of three anointed and marvelously gifted children, Timiney, Anaysha and Eric Jr.

Reverend Dr. Figueroa is a graduate of Boys High School, Hunter College and Manhattan Bible Institute with honors. In his continued pursuit of academic and spiritual excellence, he received a Doctorate in Divinity from the National Theological Seminary of the Commonwealth University of St. Louis, Missouri and a Doctorate of Theology from the St. Paul Bible Institute.

As a child, Rev. Figueroa enjoyed the benefit of a spiritual nurturing environment—living in a household surrounded by Spirit filled believers. His spiritual renaissance occurred at the Institutional Church of God in Christ under the Pastorate of Bishop Carl E. Williams, Sr. While at Institutional, he worked in numerous positions serving the Savior and the church well.

Acknowledging his call to the ministry in August of 1976, the inevitable happened, he followed in the lineage of his grandfather, the late Reverend David A. Figueroa, Sr., Pastor of the Mount Zion Pentecostal Faith Church and his father, Reverend Ronald Figueroa, Assistant Pastor of the New Life Tabernacle, making him the third generation of preachers. In 1978 he was ordained as an Elder by Bishop Carl E. Williams, Pastor of the Institutional Church of God in Christ International.

The Reverend's unique and inclusionary character and ministry forged interdenominational relationships that transcended traditional religious barriers, walls and spiritual stereotypes in an effort to advance the Kingdom of God. His skillful presentation of the Gospel and his sense of civil and community duty has

brought him to the attention and demand of many distinguished religious and political organizations who have benefited from his expertise.

In January 1998, the Presiding Prelate, his Eminence, Bishop Carl E. Williams Sr. and the Board of Bishops of the Church of God in Christ International, officially proclaimed Reverend Dr. Eric R. Figueroa Sr. as Bishop-Designate in the Lord's Church.

After several years of fruitful Evangelistic Ministry, Dr. Figueroa organized and founded the New Life Crusade Ministry in 1981. As this phase of ministry developed it was evident that God had higher heights destined for the ministry. In 1983 God gave Rev. Figueroa a vision for a church called New Life Tabernacle. On August 21, 1983 New Life Tabernacle was founded with seven members dedicated unto the Lord. Over the past 15 years New Life Tabernacle has grown in numbers, exceeding a membership of 400.

Mr. Speaker, I ask you and my colleagues from both sides of the aisle to join me in saluting Reverend Doctor Eric R. Figueroa, Sr. Bishop-Designate.

TRIBUTE TO STUDENTS OF ELDERTON HIGH SCHOOL

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. MURTHA. Mr. Speaker, I would like to take this opportunity to share with you and my colleagues a very uplifting story about an extraordinary group of young people in Elderton, Pennsylvania.

Two years ago, under the guidance of some very enthusiastic and involved high school teachers and the sponsorship of the Armstrong-Indiana County Intermediate Unit, a group of six high school students started a program called Applebee Pond. The program, which was created by the Mercer County Drug and Alcohol Commission, Inc., involves a puppet show performed by a group of high school kids for grade school children. However, this program is not merely an extracurricular activity—it is much more. That's because the purpose of the program is to teach very young children of grade school age the dangers of smoking.

The group of high school students, which now numbers over twenty students ranging in age from 14 to 18, travels to grade schools throughout the area putting on a variety of programs for a very attentive audience of children. The message of avoiding smoking is delivered to the younger children through puppet characters they enjoy and is positively reinforced through the older kids, who they look up to and who serve as powerful role models.

As priceless as is the lesson being taught to the youngsters, though, perhaps the most extraordinary thing about this program is the impact it has had on the high school students—both those participating in the program as well as their peers. Participation in the program is selective and competitive. The students must maintain good grades and promise not to drink, smoke, or be involved with any drugs.

Since the program started, the students associated with it have become so popular by setting an example of a healthy, athletic, positive lifestyle, that other students have actually quit smoking to be able to join. Parents praise the program and call to find out how their children can participate. Their brightly colored, easily recognized T-shirts are proudly-worn status symbols. They work well with their teachers and are well-known within their community. Some students who have graduated even come back to spend time helping out with the program.

At a time when young people are so often noticed only when they do something wrong, I am very proud to be able to share with you the story of these terrific teenagers and the wonderful gift they are giving to their classmates, their community, and to themselves. They are demonstrating what cool really is—being a leader, a good student, and living a healthy lifestyle.

TRIBUTE TO ADA HESS

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. HUNTER. Mr. Speaker, today I rise to say goodbye to a dear friend, Ada Hess of El Centro, California. Ada passed away this past summer and I would like to take a moment to recognize the friendship given to me by such a good and beautiful person.

Ada was born in Buffalo Gap, Texas and after marrying John Hess in 1968, she moved to El Centro where she worked as the secretary/treasurer for their various geological businesses. With a lot of hard work and dedication, their businesses grew abroad and Ada and John soon became world travelers. Following John's death in 1987, Ada continued running these businesses as the sole proprietor for nine more years before selling them in 1996.

When I was a young lawyer starting out during the 1970's, I remember how John would always be willing to offer his engineering expertise to assist with my cases. My family and I always knew we could stay with Ada and John at their home in El Centro where we would often go on camping trips to the Colorado River and pan for gold. While my boys and I were trying to strike it rich, Ada would be making sure that everyone had their shovels, pails and a good lunch. After my election to Congress, I always treasured the times when John and Ada would visit me in Washington, D.C., somehow we would always end up exploring Northern Virginia.

John and Ada Hess were great advocates of conservative principles and the Republican party. At one function, I remember how proud John was to show me a bull-moose handkerchief that had been given to his grandfather by Teddy Roosevelt. At other times, Ada would often thank me for helping her with the opportunity to attend a presidential inaugural ball. When I think back upon our fun times together, I realize that I am the thankful one, for having John and Ada as friends.

COMMEMORATING THE 100TH ANNIVERSARY OF THE NATIONAL COMMUNITY PHARMACISTS ASSOCIATION

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. BERRY. Mr. Speaker, I rise today to recognize the National Community Pharmacists Association (NCPA) on its 100th anniversary this month and to commend the organization for the work they do on behalf of independent pharmacies across the country. The NCPA represents the pharmacist owners, managers, and employees of nearly 30,000 independent community pharmacies. Independent pharmacists—more than 75,000 nationwide—dispense the majority of the nation's retail prescription drugs.

Independent pharmacists have a tremendous responsibility that is of increasing importance. Patients continue to rely more and more on their community pharmacist for good advice on which medication will help them. With many patients visiting the pharmacy more often than their doctor, community pharmacists continue to use their knowledge when telling consumers the pros and cons to these products. Ninety-eight percent of our community pharmacists make recommendations on over-the-counter drugs and general health care issues. Their expertise is imperative to the health of millions of people across this country and I commend them for a job well done.

Community pharmacists are truly working for the well-being of patients across the country and I am proud to work with them. The National Community Pharmacists continue to play a role in the lives of millions of Americans and I congratulate them on their 100th anniversary.

NEW REPORT EXPOSES GOVERNMENT'S SYSTEMATIC HUMAN-RIGHTS VIOLATIONS IN PUNJAB

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. TOWNS. Mr. Speaker, on October 1, Ram Narayan Kumar, the producer of the excellent video "Disappearances in Punjab", and Cynthia Mahmood, a professor at the University of Maine who has studied issues in Punjab, issued a detailed reported entitled "Disappearances in Punjab and the Impunity of the Indian State." It exposes the brutal tyranny that has been imposed on the Sikhs of Punjab, Khalistan by "the world's largest democracy."

The report exposes India's "war without quarter" against the Sikh Nation that has resulted in the extrajudicial murders of over 250,000 Sikhs since 1984. The authors describe this "war without quarter" as a "dirty water." The authors note that "the law in Punjab accommodated to, buttressed, and furthered the pattern of atrocities against Sikh

citizens that had evolved against Sikh citizens. Minimal human rights were being abrogated in 'the world's largest democracy.'"

These abuses were carried out through mechanisms like the so-called "Terrorist and Disruptive Activities Act" (TADA), which permitted virtually unlimited detention of anyone without charge or trial. Even though this repressive law expired in March 1995, thousands of people continue to be held under it.

The report contains extensive discussion of the case of Jaswant Singh Khaira, who was kidnapped and murdered by the police after he exposed the Indian government's brutal mass cremation policy in Punjab. After his report, the Tarn Taran police chief, Ajit Sandhu, told Mr. Khaira, "We can make one more body disappear." It appears that this promise has been kept. Now the police have filed false charges against Jaspal Singh Dhillon, who assisted and continued Mr. Khaira's work. The Indian Supreme Court described this policy as "worse than a genocide." It said that there have been "flagrant violation of human rights on a mass scale."

The report also demonstrates the weakness of India's National Human Rights Commission, which cannot investigate abuses by the security forces and cannot investigate cases over a year old. The Commission is essentially impotent.

As a result of these abuses, 18 human-rights organizations and 13 individuals who have been active in human-rights work formed the Coordination Committee on Disappearances in Punjab, which then appointed the Peoples Commission on Human Rights Violations in Punjab. This commission has issued 90 citations and taken over 3,000 more cases. The government has taken action to close down the commission and tried to prevent its first meeting from taking place. The report shows that the government has worked to silence human-rights groups through intimidation and violence.

Mr. Speaker, these events occurred in only one of India's 25 states. There are currently 17 freedom movements within India's borders. The United States is a bastion of freedom in the world. We should not be supporting such a repressive country. The sanctions we placed on India this spring must be maintained and we should also cut off its U.S. aid. It is now apparent that only when the people of Punjab, Khalistan and the other captive nations of the Indian subcontinent are allowed to claim their sovereignty will their people live in freedom, peace, prosperity, and stability. The United States Congress can help make that happen by declaring our support for free and fair plebiscites on independence in Punjab, Khalistan and in Kashmir. By these means we can help end these abuses and bring freedom to all the people of South Asia.

I thank Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, for bringing this report to my attention and his continued effort to free his nation from the repression of the Indian government.

HONORING CLAUDE GANAYE

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Ms. WOOLSEY. Mr. Speaker, I rise today to pay tribute to World War II hero Claude Ganaye, who in September 1944, was a 16-year-old French national whose actions saved the lives of United States combat troops of the 29th Infantry Division. Veterans of that division gratefully recall his bravery.

Even though Claude Ganaye and his family had been driven from their home in Brest, France, by Nazi troops, young Claude had the presence of mind to note the location of German mines, snipers and gun emplacements. Claude Ganaye found a French-speaking GI, Philip Roy of Company L, 116th Infantry to whom he provided his detailed intelligence. Acting on this information, the 29th Infantry Division was able to avoid casualties while taking enemy positions and capturing 40 prisoners.

Twenty years ago, Mr. Ganaye moved to California where he became a naturalized citizen of the country whose troops he guided from harm's way. Mr. Ganaye resides with his family in the 6th Congressional District whose citizens thank him for the courage and composure he, as a teenager, demonstrated in the mind-numbing conditions that marked the heroic allied invasion of France. It is fitting too, as we honor our veterans, to join them in acknowledging Claude Ganaye's contribution to his adopted nation. Mr. Speaker, I ask my colleagues to join me in extending our heartfelt gratitude to Mr. Claude Ganaye.

PURPLE HEART AND POW MEDALS
FOR JOSEPH LAJZER

HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. RODRIGUEZ. Mr. Speaker, on September 18, 1998, National Prisoner of War/Missing In Action Recognition Day, our nation finally honored one of the few remaining heroes and survivors of the Bataan Death March. During the graduation of new air men and women from basic training at Lackland Air Force Base, Retired Army Air Corps World War II veteran Tech. Sgt. Joseph Lajzer was awarded the Purple Heart and POW medals for injuries sustained more than 56 years ago in the jungles of the Philippines.

Joseph Lajzer volunteered for the Army in 1941 at the age of twenty. He was trained as a tanker and his unit, B Company of the 192d Tank Battalion, was sent to Clark Field in the Philippines. Not long after the attack on Pearl Harbor, the Japanese attacked and landed in the Philippines. After many days of intense fighting and desperately short of medical supplies, food, and ammunition, Mr. Lajzer's unit was captured on April 8, 1942. The following day the tragic Bataan Death March began.

The horrors of the six day march defy any description. Nearly 650 American soldiers

along with thousands of Filipino soldiers died during the march. For the next three and one half years, Lajzer endured unspeakable pestilence, starvation, and brutality while in captivity. Joseph Lajzer was finally liberated on September 6, 1945, but had to endure additional months in military hospitals recovering from injuries inflicted by his Japanese captors.

Tech. Sgt. Lajzer's services to our nation didn't end after his release. He went on to serve for a total of 25 years, retiring from the United States Air Force in 1966. In spite of his extraordinary service in uniform, Lajzer was never formally recognized. He waited patiently for more than twenty years while administrative and other delays prevented the award of the Purple Heart and the POW medals to this deserving American. Finally, on September 18, 1998, our nation recognized and honored Tech. Sgt. Lajzer.

A SOLDIER BY AN UNKNOWN AUTHOR AT
BATAAN/CORREGIDOR

A soldier is a nobody, we hear lots of people say. He is the outcast of the world and always in the way.

We admit there are bad ones from the Army to the Marines, but the majority you will find, the most worthy ever seen.

Most people condemn the soldier when he stops to take a drink or two, but does a soldier condemn you, when you stop to take a few.

Now don't scorn the soldier but clasp him by the hand, for the uniform he wears means protection to our land.

The government picks its soldier from the million far and wide, so please place him as your equal good buddies side by side.

When a soldier goes to battle you cheer him on the way, you say he is a hero when in the ground he lay.

But the hardest battle of the soldier is in the time of peace, when all mock and scorn him and treat him like a beast.

With these few lines we close sir, we hope we don't offend but when you meet a soldier just treat him like a friend.

TRIBUTE TO BONNIE KIBBEE

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. HUNTER. Mr. Speaker, today I rise to recognize the outstanding life of a friend from my hometown, Bonnie Kibbee of Alpine, California. Bonnie passed away last month and I would like to take a moment to commend the dedication this exceptional person had for her community.

Born in New Hampshire, Bonnie came to San Diego with her family when she was a little girl. She was a small business owner, a real estate agent, a backcountry activist and an avid gardener whose own home garden became a popular fixture in the Alpine community. The Kibbee's, whose garden included various assortments of irises and day lilies, would set aside a day each spring to allow the public to come and visit.

Upset upon learning that the Internal Revenue Service was intending to confiscate the savings account of a child to pay off a parent's

debt, Bonnie quickly established herself as a government watchdog and community patriot by protecting and standing up for the rights of private property owners. Through her positions on the Alpine Community Planning Group, Paul Gann's Citizen's Committee, the Christmas Calling Committee and as President of California Taxpayers Network, Inc., Bonnie dedicated herself towards community improvement, reducing crime and promoting law enforcement. Among her initiatives included raising funds for the Alpine Community Center, finding a new home for the Alpine Chamber of Commerce, assisting congressional efforts to oppose overzealous federal acquisition of private property and working to ensure that human beings were provided the same protections afforded to birds, fish and insects.

In a time when apathy is often chosen over public involvement, Bonnie Kibbee exhibited the true character of grassroots activism. As a Member of Congress, it is encouraging to see a private citizen who takes notice of what is taking place around them and works to change their community for the better. Thank you Bonnie for all your hard work. You were a natural leader, a great American and will be truly missed.

OREGON PUBLIC LANDS TRANSFER
AND PROTECTION ACT OF
1998

SPEECH OF

HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, October 12, 1998

Ms. HOOLEY of Oregon. Mr. Speaker, I rise today in strong support of H.R. 4326 because I think that this is a noncontroversial package that will help address ongoing resources needs in Oregon ranging from wastewater treatment to land transfers.

I am particularly pleased that this package includes a measure to authorize the Willow Lake Natural Treatment System project which will reduce wintertime sewer system overflows to the Willamette River in Salem and local creeks.

This initiative will also provide a source of irrigation water for the farming community and improve the river habitat for fish.

Mr. Speaker, this is just one of the win-win initiatives in this important package.

This package also includes a common sense land transfer arrangement between O & C counties and the BLM, a land exchange between the BLM and the U.S. Fish and Wildlife Service at Hart Mountain in eastern Oregon, in addition to other measures that have widespread support.

I urge my colleagues to support this legislation.

ARKANSAS AMVET OF THE YEAR,
WINSTON MCGINNIS

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. BERRY. Mr. Speaker, I rise today to honor a man who has dedicated his time to working for Arkansas' veterans. For this reason, the AMVETS has awarded this great veteran, Winston "Mac" McGinnis who lives in my District in Melbourne Arkansas, the prestigious AMVET of the Year Award.

The AMVET of the Year Award was given to Mac for the many hours of volunteer work for all veterans and their families since his retirement from the U.S. Air Force in 1966. After an injury in Guam while serving in the Air Force, that resulted in a spinal cord injury, Mac was retired with 20 years of service. Since that time he has worked with other veterans and has volunteered in four different Veterans Hospitals. He has received a 100,000 mile award from the VA for the miles he has driven doing volunteer work and transporting veterans to and from VA hospitals.

Mac is the Executive Director of the AMVETS Department of Arkansas, Commander of Post #1 in Melbourne VAVS Representative at the Little Rock Medical Centers and National Executive Committeeman for Arkansas AMVETS. The Silver Helmet Award has over the past 40 years acquired a well-deserved reputation as the most prestigious of all the awards given by veterans organizations. I congratulate Mac for his award and his years of service working with the veterans in Arkansas. Mac, thanks for a job well done. I wish you well.

HONORING KATIE DAVIS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. TOWNS. Mr. Speaker, I rise today to honor Katie Davis for her dedicated service to the Brooklyn community and to congratulate her as a recent recipient of an Institute for Community Living award.

Katie Davis, a graduate of Hunter College and Columbia University's Public Health Administration School, and a successful administrator at Kingsborough Psychiatric Center has made and continues to make a difference in the lives of young African Americans and Hispanics. Katie's involvement with youngsters in various aspects of their lives through a continuous process of mentoring, engagement in positive activities and community programs aimed at giving them hope for their future, has helped to mold their actions and to lead more productive lives. Many of these young adults have gone on to successfully occupy various positions, further their studies and give back to their communities by helping others.

Katie has made a tangible difference in the lives of countless young adults as well as in her own. She has worked incessantly on behalf of community residents who have special

needs like her own daughter, Jacqueline, and continue to meet daily challenges for independence and dignity throughout their lives. It is in Jacqueline's memory that the Institute for Community Living's Emerson/Davis Family Development Center was dedicated. Katie has also been an advocate for children's education and for the improvement of housing for seniors and young low-income families.

Katie is an active member of the Board of Directors of the Vanguard Urban Improvement Association, which sponsors, the development and renovation of affordable housing for low-income families in Central Brooklyn. She is also chairperson of Medgar Evers College Community Council, where she works to improve the college's ability to connect with the community, and to enhance the academic status of this educational institution. One of Katie's greatest accomplishments, however, was her election by the grassroots community as a delegate to the 1984 Democratic Convention. Her election by the community was viewed as an acknowledgement of her tireless efforts in providing voter education workshops, and organizing and directing voter registration and participation campaigns. As an active member of the Antioch Baptist Church she has served on its Board of Trustees. Katie currently resides in Brooklyn with her husband, Hervin, and her daughter, Charlene.

Mr. Speaker, please join me in honoring Katie Davis for her invaluable contributions to the Institute for Community Living and the Brooklyn community.

TRIBUTE TO JOE KENNEDY

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. KINGSTON. Mr. Speaker, Evans County, Georgia certainly has its share of outstanding citizens.

Perhaps because in Evans County people still take very seriously things like God, patriotism, and civic responsibilities.

And so, among so many outstanding citizens, it gives me particular pleasure to pay tribute today to one of Evans County's own who never failed to live up to those standards—Joe Kennedy, loving father, devoted husband, political leader, and outstanding Georgian.

Born and raised in Claxton, Joe spent his whole life dedicated to serving his fellow citizens in public life.

He was the kind of elected official people always felt was working for them, for Joe was a guy who, over a period of 40 years in public life, always seemed to be truly happy to help people in any way he could.

He seemed happy to help because he was. He enjoyed serving people, and he was so very proud of his participation in a profession that he believed to be a noble one.

If Joe were alive today, he would surely be astonished that some people are even asking the question of whether character matters.

What an absurd question, and he could not conceive of why anyone might even suggest that a man's integrity was not the most important consideration of all.

A veteran of the U.S. Army, Joe served with distinction in the Korean war and received numerous decorations for his service, including the Bronze Star, the Korean Service Medal, and the United Nations Medal with two battle stars in the Korean war.

After being honorably discharged in June 1953, with the rank of captain, he returned to his native Georgia and began to build a life for himself and his family.

In 1966, Joe was elected to the Georgia Legislature, serving District 4 in southeast Georgia.

He went on to represent that district for a total of 24 years, 24 years in a position where he set the standard for being responsive to his constituents.

Although fiercely proud of being a Democrat, and proud of his conservative credentials, Joe was not a partisan.

His loyalty was to a better Georgia for all citizens.

This came before party or politics.

He loved nothing more than finding a way to achieve his goals while obscuring the source of the credit.

But we must give credit where credit is due, and the state of Georgia is marked in many ways by his legacy of accomplishments.

The highway running through Claxton to Interstate 16, a section of which now bears his name, was expanded to four lanes as a result of his efforts.

Joe was behind the construction of the Claxton Regional Youth Development Center, an activity employing 30 people.

The determined perseverance of Joe Kennedy was also behind the Southeast Detention/Probation Center, the Ogeechee Technical Institute, and the Claxton Seniors Citizens Park—institutions which provide a service to Georgians and which employ hundreds of our citizens.

And Georgia Southern University obtained its university status in great part as a result of Joe's persistent efforts to improve the higher education opportunities that would be available to southeastern Georgia students.

The list of his accomplishments is long, and they are, indeed, the visible reminders of his legacy.

But to the people who knew him, and who loved him, those are not the things that will bring a wistful smile to our faces when we recall his memory.

As a young man, Joe soon earned a reputation for being a man of his word.

As he rose in power and influence, that never changed.

To Joe, honesty was simply the way to do business, and he would never sacrifice the trust he had earned for some short-term advantage.

Joe did not win every election he entered, but he did win the hearts of the people who knew him best, and his performance during his race for lieutenant governor validated the high opinion we had of him.

Slick out-of-state consultants with briefcases full of dirty tricks never worked for Joe Kennedy.

He was straightforward to supporters and opponents.

After the polls closed, Joe accepted the decision of the voters with the same quiet dignity

that has been characteristic of his rich, extraordinary life.

He still had his integrity and he still had a passion to serve his fellow Georgians.

Joe went on to occupy other high positions in the Georgia State government, and to his last days he did what he loved most: talking to people about public policy issues and finding out how best to solve the political problems that confront us all.

He brought that enthusiasm to his last position in government as a member of the Georgia Board of Regents.

How fitting it was to learn that on the day that God had decided was his time, Joe was speaking to the downtown Rotary Club of Statesboro.

He was doing what he loved right to the end.

He will be dearly, dearly missed.

God bless you, Joe Kennedy. To his beautiful wife Lalah, children Debra, Cliff, and Adam, to all of his in-laws, grandchildren, and relatives, thank you for sharing him with us.

TRIBUTE TO WESLEY E. BISGAARD

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. HUNTER. Mr. Speaker, on August 6th of this year the State of California and specifically the communities of Imperial County within my district suffered a great loss with the death of Mr. Wesley E. Bisgaard. Throughout his life, Wes was dedicated to his family, church and community. I rise today to recognize his remarkable dedication and contributions to all of us.

I met Wes in 1979 during my first campaign for Congress when he was serving as the Republican Party chair for Imperial County. I still remember the look in his eye when he first shook my hand, it was as if to say "this is what I have to work with?" From that day forward, he was always ready to lend me a hand and offer advice that he gleaned from years of working through the various systems of government, whether it was the State of California or the U.S. Congress. One thing about Wes, he never left you wondering what his opinion was.

Wes led a remarkable life that reads like a John Steinbeck novel. After the dust bowl the Bisgaard family moved from their farm in North Dakota to California where they eventually began a new life in Holtville, California, where they remain today. During World War II, while Wes worked for Douglas Aircraft, he met and married Mildred "Millie" Epleman. In 1952, Wes and Millie, along with their two children, Karen and Christopher, moved to Imperial Valley to join his brother and once again take up his first love: farming. The Bisgaard Brothers farmed 1,000 acres of alfalfa, lettuce, cotton, sugar beets, barley, cabbage, and later wheat for seed.

Agriculture is the mainstay of not only Imperial Valley, but California as well and Wes played a very active role through his memberships on many local and state farming advisory boards and commissions. In fact, when

he finally retired at the age of 79 he was the Manager of the Imperial County Farm Bureau, completing a 45 year career in the industry.

Wes and his wife Millie lived their lives with a strong work ethic, unimpeachable ethical standards, a central place for God in their lives, an abiding sense of charity towards others and a compelling degree of commitment to the wider community. Those of us lucky enough to know Wes will forever be grateful for that opportunity. Imperial County and the farmers there are better off today because of his dedication and commitment to his community: for that, all of us are grateful.

S. 505 VIOLATES U.S. INTERNATIONAL TREATY OBLIGATIONS

HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. TANNER. Mr. Speaker, recently, the House passed S. 505, the Sonny Bono Copyright Term Extension Act. Provisions were included in this legislation relating to fairness in music licensing. Some have expressed concerns over these provisions.

The Congress has been advised by the Secretary of Commerce that the fairness in music licensing reform legislation violates U.S. international treaty obligations. The United States Trade Representative, the Register of Copyrights, and the Assistant Secretary of Commerce and Commissioner of Patents and Trademarks have all joined with the Secretary of Commerce in voicing concerns over these provisions. They believe that the exemptions included in Section 202 of Title II would "violate our obligations under the Berne Convention for the Protection of Literary and Artistic Works." As a consequence, it could result in the WTO finding that United States has violated its multilateral treaty obligations. Adequate attention was not given to these concerns.

WORLD POPULATION AWARENESS WEEK 1998

HON. ALBERT RUSSELL WYNN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. WYNN. Mr. Speaker, I rise today to call World Population Awareness Week 1998 to the attention of my colleagues. October 24-31 marks the annual celebration of World Population Awareness Week. More than 300 family planning, environmental, educational, community and service organizations in 61 countries are co-sponsoring the week in an effort to raise awareness of the need for universal voluntary family planning.

I call the Governor of Maryland's, the Honorable Paris Glendening, proclamation to the attention of my colleagues.

WORLD POPULATION AWARENESS WEEK PROCLAMATION—1998

Whereas world population stands today at more than 5.9 billion and increase by more

than 80 million per year, with virtually all of this growth in the least developed countries;

Whereas the consequences of rapid population growth are not limited to the developing world but extend to all nations and to all people, including every citizen of the State of Maryland concerned for human dignity, freedom and democracy, as well as for the impact on the global economy;

Whereas 1.3 billion people—more than the combined population of Europe and North Africa—live in absolute poverty on the equivalent of one U.S. dollar or less a day;

Whereas 1.5 billion people—nearly one-quarter of the world population—lack an adequate supply of clean drinking water and sanitation;

Whereas more than 840 million people—one-fifth of the entire population of the developing world—are hungry or malnourished;

Whereas demographic studies and surveys indicate that at least 120 million married women in the developing world—and a large but undefined number of unmarried women—want more control over their fertility but lack access to family planning;

Whereas this unmet demand for family planning is projected to result in 1.2 billion unintended births;

Whereas the 1994 International Conference on Population and Development determined that political commitment and appropriate programs aimed at providing universal access to voluntary family planning information, education and services can ensure world population stabilization at 8 billion or less rather than 12 billion or more.

Now, therefore, I Paris Glendening, Governor of the State of Maryland, do hereby proclaim the week of October 25-31, 1998 as World Population Awareness Week, and urge citizens of the State to take cognizance of this event and to participate appropriately in this observance.

HONORING STEVEN H. KRONETHAL

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. TOWNS. Mr. Speaker, I rise today to honor Steven H. Kronethal for his dedicated service to the Brooklyn community and to congratulate him as a recipient of an Institute for Community Living award.

Steven H. Kronethal joined Integrated Planning Associates, Inc. as Vice President in 1991. Since 1995, Integrated Planning has been designing and implementing a variety of Employee Benefit programs for both the profit and non-profit communities. By working with the non-profit community, Integrated Planning has been able to help their clients provide comprehensive and cost effective benefits for their employees. Specializing in both health insurance and pension plans, Integrated Planning's goal is to help employers attract and keep the best employees available.

Steven is a graduate of Boston University's School of Management with a degree in finance. He also holds many industry awards and recognition. Steven and his wife, Andrea, just welcomed their first-born child, Brandon, in September.

Mr. Speaker, please join me in honoring Steven Kronethal for his invaluable contributions to the Institute for Community Living and the Brooklyn community.

IMPEACHMENT INQUIRY

HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Ms. HOOLEY of Oregon. Mr. Speaker, based on the evidence, I believe that we should proceed with an impeachment inquiry that has a clear time line, not an open ended inquiry that could drag on and on for the next two years.

The Republican proposal does not set any deadlines at all. If it were to pass, we could be debating this issue into the next millennium. One way or another I feel that we have to move forward with the impeachment process in a timely manner. In order to do that, I believe that it is crucial that we insist this inquiry be deliberate and focused.

The inquiry should also be limited to what the Starr report focuses on. Unfortunately, the Republican proposal is not limited in any fashion. According to the structure of the inquiry as outlined by the Republicans in the Judiciary Committee, it may include a re-investigation of Travelgate, Filegate, and campaign finance even though we have already spent four years and \$40 million investigating these matters.

I voted for a motion that was forwarded by RICK BOUCHER to modify the Republican proposal. Mr. BOUCHER's motion would allow the House to proceed with an impeachment inquiry that focuses on the material that Mr. Starr referred to the Congress and his proposal would require Congress to complete this inquiry by the end of the year unless there were compelling reasons to continue it. This is the sort of common-sense, fair-minded inquiry that I believe will bring this issue to a timely and appropriate conclusion.

The sooner we resolve this issue the sooner we can begin to deal with issues that make a difference in America's everyday lives. I hope that soon we will move toward bringing the Lewinsky matter to an appropriate close so that we can begin to re-focus our energies on issues like saving Social Security, cracking down on gang violence, and providing tax relief for middle class families.

**HONORING CHARLES RINKEVICH,
DIRECTOR OF FLETG, GLYNCO,
GA, RETIRED ON MARCH 14, 1998
AFTER 34 YEARS OF GOVERNMENT SERVICE**

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. KINGSTON. Mr. Speaker, today Congress will pass a number of appropriations bills.

While there are many important agencies funded by the legislation involved in these bills, one that all Members of Congress and people in south Georgia can take particular pride in is the Federal Law Enforcement Training Center (FLETG).

This, of course, is that important agency which trains our heroic Capitol police force.

I have the honor of representing FLETG, and had the pleasure of learning much about it through former director Charlie R. Rinkevich.

Today it is a special treat to recognize Charlie, who retired last March after 34 years of public service.

Thirty-four years of the kind of distinguished service that will be missed by the people he served, the people he worked with, and the people whose lives he touched in so many ways.

Although the expression "dedicated public servant" is used all the time, there is simply no other way to describe Charlie Rinkevich.

For 15 of those 34 years in government service, Charlie served as the director of FLETG, located in Glynn County, Georgia.

I think all my colleagues would agree, even those who, like me, are proud champions of limited government—I think everyone would agree that Charlie's job is a critically important one, and one that benefits the public to a degree that few realize.

In fact, law enforcement is one of the few things that all citizens expect and demand of their government.

In fact, it is the ultimate bipartisan public service—all citizens have the right to equality before the law, equal justice, and the rights to due process accorded by our Constitution.

Law enforcement is the bedrock of a civilized society; it is what distinguishes society which are governed by the rule of law and those which are governed by the whims and caprices of tyrannical leaders or petty bureaucrats.

Some societies—in fact, most societies do not trust their law enforcement agencies, for corruption is a way of life.

Americans expect more.

Americans expect their police force, their court system, and the Federal law enforcement officers to be honest and to serve the public whose rights they are sworn to uphold.

And for the most part, they can count on the people who make our system of justice work.

But to make our system of justice work, you need to have people like Charlie Rinkevich make it work.

Justice does not come from a piece of paper.

If it did, the Soviet Union would have been a paragon of justice.

Justice does not come from a sacred document, even one as wise and far-sighted as our Constitution.

If it did, Communist China would be a worker's paradise where everyone's rights and freedoms were respected.

No, justice comes from honest people who take part in a system they truly believe in, a system that, while never perfect, is the best one can hope for in an imperfect world.

Justice comes from honest people who teach honesty to others, who lead by example, and who care deeply about a country they are so, so proud to live in.

Justice comes from the work of honest people like Charlie Rinkevich.

The list of Charlie's Rinkevich's accomplishments is long and impressive.

But no professional achievement—no award, and no honor—can ever replace or compare with honesty and integrity.

Without honesty and integrity, professional achievements are meaningless and ultimately, unfulfilling.

Without honesty and integrity, no one's career, even one that lands you on the very top, is worth much.

Without honesty and integrity, you will never be a role model to your kids, your family, and your community.

Charlie Rinkevich IS a role model, not only for his life of professional achievements and accolades, but for his character as well.

Character is developed by toil, sacrifice, and struggle.

Hard-won, it is easily tarnished or destroyed. Charlie teaches the value of character in the law enforcement officials he trains.

It is the kind of thing that is often taught by people who take pride in their work, especially teachers, coaches, and members of the clergy.

From his start as a police patrolman in Michigan 34 years ago to his tour as director of FLETG, Charlie took pride in his work urged others to view public service with this work ethic.

The serious business of law enforcement thrives when people have this kind of attitude toward their job.

It gradually sinks into incompetence and disinterested malaise when they don't.

A positive attitude and a strong work ethic go hand in hand, and law enforcement officials everywhere immediately recognize what will happen to effectiveness when attitudes slip and the work ethic slides.

That's why Treasury Secretary George Schultz appointed Charlie to his position as head of FLETG in 1983.

FLETG is the largest law enforcement training organization in the United States.

Formed in 1970, FLETG's mission is to provide the highest quality of training at the lowest possible cost.

Seventy Federal law enforcement agencies in all levels of government now participate in consolidated training at FLETG, training which includes the international arena.

Last year, over 23,000 students graduated from basic, specialized, and management level training programs.

Quite simply, the quality of the training conducted at FLETG has a direct impact on the American people's attitude toward government.

We live in a time during which the public trust has been eroded.

Without a system of justice that is widely perceived as fair, honest, and free from corruption in the vast majority of cases, there can be no trust in government, and cynicism about our democratic system will undermine our faith in America.

On behalf of the citizens of the 1st District of Georgia, I would like to thank you, Charles Rinkevich, for undertaking the burden that positions of public trust require.

I commend you for the long years of loyal government service you have worked with such dedication and enthusiasm.

I am very proud to have the opportunity to recognize your achievements this day.

Thank you, and may others be inspired to follow your path in public service.

TRIBUTE TO DR. DANIEL
VASELLA, RECIPIENT OF THE
1998 AMERICAN JEWISH CON-
GRESS HUMANITARIAN AWARD

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. LANTOS. Mr. Speaker, I would like to ask my colleagues to join me in recognizing the outstanding accomplishments of my friend Dr. Daniel Vasella, the recipient of the 1998 American Jewish Congress Humanitarian Award. Dr. Vasella is the President and Chief Executive Officer of Novartis AG, which is one of the most prestigious pharmaceutical companies in the world. He has a record of service that extends well beyond the business sphere, and his leadership in the areas of medical research and the pursuance of peace is a reflection of the decency and moral fiber of a truly remarkable human being.

As the recipient of the AJC's Humanitarian Award, Dr. Vasella joins some of the most outstanding men and women of the latter half of the twentieth century. The American Jewish Congress (AJC), which for the past eighty years has led the Jewish community in fighting for human rights and against all forms of discrimination, has bestowed its Humanitarian Award upon statesman and pioneers who have fought tirelessly to improve the quality of life of all the world's citizens. From Harry S. Truman to Coretta Scott King, from David Ben-Gurion to Robert F. Kennedy, the roster of recipients represents a Who's Who of the champions of humankind.

Mr. Speaker, Dr. Vasella's achievements more than merit this distinguished honor. Under his inspired leadership, Novartis has emerged at the forefront of the pharmaceutical industry in the area of "genomics," which involves research into "disease genes" as targets for new drugs. Related ventures have contributed to medical advances in a wide variety of vital areas, ranging from the treatment of Alzheimer's disease to Parkinson's disease to diabetes to cancer. In honor of Dr. Vasella's notable dedication to curing such afflictions, the AJC will use the proceeds of the 1998 Humanitarian Award Dinner (to be held on Thursday, October 22, at The Waldorf-Astoria in New York City) to further its significant work into the high genetic susceptibility of Ashkenazi Jewish women to breast and ovarian cancer, as well as for other medical projects involving the health and welfare of women.

In addition to his medical successes and his numerous philanthropic activities, Dr. Vasella has contributed enormously to efforts to further the cause of peace in the Middle East. He is an active member of the International Board of Governors of the Peres Center of Peace in Israel, an organization founded last year by former Prime Minister and Nobel Laureate Shimon Peres to further economic and other areas of cooperation between Israelis and Palestinians. Furthermore, Dr. Vasella and Novartis have provided guidance and substantial financial backing to Seeds of Peace, a foundation that creates conflict resolution and peacemaking programs for youth in the Middle East and other tumultuous regions around the world.

Mr. Speaker, I would like to ask my colleagues to join me in commending the AJC and its outstanding President, Jack Rosen, on their exceptional choice of Dr. Daniel Vasella as the recipient of the AJC's 1998 Humanitarian Award. I can think of no individual more deserving of this eminent honor.

TRIBUTE TO DR. MORRIS JOHN-
SON, EDUCATOR TO THE WORLD

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mrs. MEEK of Florida. Mr. Speaker, I rise to honor Dr. Morris Johnson, a professor of history at Miami-Dade Community College who has used his extensive knowledge of South Africa and the Caribbean to improve educational opportunities and promote international understanding in this country and abroad.

Over the past several years, Dr. Johnson has organized six trips to South Africa on which his students, other educators and members of our community have had the opportunity to learn first-hand about this important nation and to exchange ideas and information with its people.

But Dr. Johnson has not been content with learning about South Africa. He wants to forge closer ties between our nations. He also wants to make a positive impact on the lives of South Africa's young people, and he is not content to wait for the governments of our two nations to do the job.

For the past 4 years, Dr. Johnson has collected and shipped hundreds of pounds of school supplies to poor schools in South Africa, as well as Haiti, Jamaica, Trinidad, and the Dominican Republic. Each year, Miami-Dade school children donate notebooks, construction paper, textbooks, crayons, scissors, glue, chalk, and pencils. Dr. Johnson distributes these items on his visits to South Africa and ships them—often at his own expense—to school children in other countries as well.

Many children in these countries have never seen these kinds of school supplies, which we take for granted in this country. As Dr. Johnson said in a recent interview, "Ten years from now those kids will say the supplies made the difference. That's the reward."

Mr. Speaker, I think the real difference is Dr. Morris Johnson, a man of humanitarian vision, energy, and commitment. I know that the entire House joins me in honoring Dr. Johnson for the efforts he has made to make this world a nicer place in which to live.

HONORING MELVIN H. MARDEN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. TOWNS. Mr. Speaker, I rise today to honor Melvin H. Marden for his dedicated service to the Brooklyn community and to congratulate him as a recipient of an Institute for Community Living award.

Melvin H. Marden, a graduate of Adelphi University and New York School of Interior Design, started his first business in the retail home improvement and design industry. For thirty years he gained a complete background in all aspects of interior construction and design. During the time he operated a retail business, Melvin also worked with non-profit agencies by furnishing the interior of many types of facilities. His primary focus was to establish a residential setting by using contract furniture, fabrics, window treatments, framed artworks, floorings, and many colors and textures suited to the individual needs of each residence.

Melvin now works solely in the contract and institutional field. His emphasis is in developing and constructing furniture, furnishings and environments to suit the needs of the various types of populations who are supported and housed by non-profit agencies.

Mr. Speaker, please join me in honoring Melvin H. Marden for his invaluable contributions to the Institute for Community Living and the Brooklyn community.

IN HONOR OF THE 188TH ANNIVER-
SARY OF THE PARK AVENUE
CHRISTIAN CHURCH

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mrs. MALONEY of New York. Mr. Speaker, I rise today to pay tribute to the Park Avenue Christian Church as it celebrates its 188th anniversary. The Church held a Homecoming Celebration on October 17 and 18.

The Christian church, which traces its roots back to the Scottish reformation, first emerged on the American Frontier in the early 1800's. On October 10, 1810, nine members of the Ebenezer Baptist Church of New York City formed themselves as "The Disciples of Christ." In 1945, the congregation moved to its present site at 1010 Park Avenue and renamed itself the Park Avenue Christian Church.

As the oldest congregation within the Christian Church, the Park Avenue Christian Church delivers a progressive, positive message as an international, interracial, and inclusive community.

Originally built as the old South Dutch Reformed Church in 1911, the sanctuary was inspired by La Sainte Chapelle in Paris. The Church is an impressive structure on Park Avenue with buttress-supports and Tiffany stained glass windows. In 1963, the Church built a new education building on the site of the original parish house; in 1982, a 56 rank organ was added to the Church.

In 1989, the Park Avenue Christian Church embarked on a massive renovation. This restoration not only ensured the preservation of the Church into its third century of existence, but also helped to revitalize the congregation's commitment to its mission to the world founded on freedom, diversity, and tradition.

The Park Avenue Christian Church plays an integral role in fostering a sense of community on the Upper East Side of Manhattan. The congregation is deeply rooted in social responsibility, which greatly benefits the Park Avenue community.

Mr. Speaker, I am honored to bring to your attention the Park Avenue Christian Church, as it celebrates its 188th anniversary. I would also like to pay tribute to Senior Minister Reverend John Wade Payne and Associate minister Reverend Allen V. Harris for their dedication to the Park Avenue Christian Church and the surrounding community.

STATEMENT ON MAYOR BARRY'S RETIREMENT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Ms. NORTON. Mr. Speaker, as many in the Congress know, Mayor Marion Barry has decided to leave office at the end of this year after 16 years of service as Mayor. I issued a statement when Mayor Barry announced his retirement in May. I ask for permission to include that statement in the CONGRESSIONAL RECORD.

After a lifetime of public service and devotion to this city, my friend Marion Barry is leaving office with the city on the rebound. Sometimes controversial, always congenial, Marion leaves with his infectious optimism about the city he loves intact. The man who invented politics in D.C. was also its most skillful and resilient practitioner. He always called me his "warrior" on the Hill. I always knew that my old civil rights buddy would no more settle for second class citizenship here than he did in the movement. Whatever our differences, Marion Barry was my friend before he was Mayor, and he will be my friend when he is no longer Mayor. I wish him well.

RECOGNIZING THE CITY OF LA HABRA HEIGHTS, CA, ON THE OCCASION OF ITS 20TH ANNIVERSARY

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. ROYCE. Mr. Speaker, around 1920, a developer named Edwin G. Hart had a vision for about 3,500 acres nestled in the hills of my district. Since the early 1800's, this area had been known as "La Habra Rancho" and was home to ranchers, farmers, and settlers. Edwin Hart set out to develop this land into a remarkable avocado growing belt, divided into large 5-acre parcels and profitable for all his neighbors.

He called it "La Habra Heights."

Gradually, La Habra Heights evolved from an avocado producing area to a tranquil residential community. Today the city of just over 7 square miles has maintained its unique rural character amidst urban Los Angeles County. The residents of this pastoral area, including a large horse riding population, have long enjoyed a peaceful environment in the hills and valleys of their community. Scenic riding trails are connected throughout the heights and are maintained by the Highland Riders. A commu-

nity-based volunteer fire department has provided protection to its residents for 50 years.

The city of La Habra Heights incorporated on December 4, 1978, and the city has continued to prosper for 20 years. I would like to extend my congratulations to the over 6,800 residents of this community on the occasion of their 20th anniversary as a city on December 4, 1998.

COMMUNITIES PULL TOGETHER AFTER FLOOD DEVASTATION

HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. RODRIGUEZ. Mr. Speaker, this past weekend we in central and south Texas experienced extraordinary rain storms which dropped record amounts of rain in only a matter of hours. Some areas received nearly two feet of water in roughly 24 hours. Our normally calm rivers burst over their banks, turning into a racing wall of water. Even now, communities in my district find themselves under water. Roads, houses, farms and ranches have turned into lakes.

Devastation is everywhere. Homes have been torn from their foundations. While lending a helping hand to others, one rescue worker and her husband watched in horror as their house floated down what was once a street. Many communities have no drinking water, and thousands are only now beginning to return to their homes. For many, all their worldly possessions are gone. Lives lost, businesses flooded, livestock killed, and people's prime investment, their homes, destroyed—that is the legacy of the floods of 1998.

The counties I represent include some of the hardest hit areas: Comal, Guadalupe, Bexar and Wilson Counties have not seen this level of destruction in more than a generation or more. In some areas, the Guadalupe River, normally 150 feet wide, stretches three miles across. It may take days or weeks to add up the value of lost property, but we know today already that some have experienced the greatest loss. At least 17 persons have died as a result of these storms, and a number of children remain missing and are feared lost. For the record, I have attached a list of these fatalities. Mr. Speaker, our hearts and prayers go out to these families at this tragic time.

I spent yesterday visiting flood-damaged communities. While the destruction was truly heart-wrenching, I was impressed with the professionalism exhibited by city leaders, law enforcement and emergency service crews. I admired neighborly spirit of the many volunteers who came out to help. In response to this crisis, people from all walks of life came together to battle the water and save lives. The next few days will be critical as the rebuilding begins. I know that, despite the challenges, the people of Texas will pull together and overcome.

HONORING JUDITH MARDEN INSTITUTE FOR COMMUNITY LIVING Awardee

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. TOWNS. Mr. Speaker, I rise today to honor Judith Marden for service to the Brooklyn community, and congratulate her as a recipient of an Institute for Community Living award.

Judith Marden graduated from Adelphi University with a Bachelor of Science degree in Elementary Education. She received her Master of Science Degree in Elementary education from Hofstra University concentrating on courses in sociology and psychology.

After teaching for a number of years, she decided to join her husband Melvin in their contract and design business. At that time she attended the New York School of Interior Design.

For the last twenty-five years, she has taken her background in design, psychology and sociology and applied them to furnishing residences, group homes, and larger facilities. The emphasis has been on establishing a home-like environment to suit the different needs of the individuals living in them.

In her work, Judith has researched the living needs of the homeless, mentally ill, chemically addicted, developmentally disabled, individuals with AIDS, children in foster care, battered women, senior citizens, children and unwed mothers, while working with the agencies that care for and support these populations.

Mr. Speaker, I would like you and my colleagues from both sides of the aisle to join me in honoring Ms. Judith Marden for her invaluable service to the Institute for Community Living and the Brooklyn community.

REHABILITATION HOSPITALS

HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. TANNER. Mr. Speaker, I want to commend the gentleman from Massachusetts, Mr. NEAL, for taking the lead on an issue that affects rehabilitation hospitals and units. It is very important that we work with Mr. NEAL on this issue to correct some problems that were created by the passage of the Balanced Budget Act of 1997 (BBA).

Mr. NEAL's legislation restores incentive payments for PPS-exempt rehabilitation hospitals and units that were changed by the BBA. It also changes the provision in the BBA which imposed a 15% reduction in capital payments for PPS-exempt hospitals and units for FY1998–2002.

In our efforts to restore Medicare to financial stability last year, we may have approved cuts to rehabilitation hospitals and units that actually save Medicare dollars. I am afraid that these cuts may undermine patient care and force them to either stay in hospitals longer or to be discharged home prematurely, or worse, to a nursing home.

Studies confirm that early rehabilitation for stroke and traumatic brain injury leads to shorter overall hospitalizations, less mortality and fewer complications. This translates to both federal and state, as well as private dollars, saved. A few studies have shown that stroke patients who receive rehabilitation have better outcomes than those who do not.

These studies also indicate that stroke rehabilitation patients are more likely to be discharged to a home than to a nursing home. They confirm that comprehensive rehabilitation programs are effective in treating low back pain, and that pulmonary rehabilitation reduces expensive re-hospitalization and emergency room visits.

Rehabilitation also maximizes the restoration of functional capacity, and it helps people adapt to a more independent life. Rehabilitation can help older individuals avoid the services of a nurse or home health aide in many cases. All of this translates to savings to Medicare, Medicaid and the health care system.

While we obviously cannot move legislation this year, I am concerned about the impact that BBA is having on the payment for providing rehabilitation services to Medicare beneficiaries. I am afraid that, in our efforts to restore financial stability to the Medicare system, we may have implemented a policy which will actually increase Medicare spending.

While I am cautious about suggesting any legislation that may add additional costs to the Medicare system, I do not want us to be penny wise but pound foolish. I would hope that the Congress can examine this issue carefully in the future.

INTRODUCTION OF H.R. 4858—
UNITED STATES-PANAMA PART-
NERSHIP ACT OF 1998

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. GILMAN. Mr. Speaker, I have today introduced H.R. 4858, the United States-Panama Partnership Act of 1998.

The purpose of this legislation is to signal to the people of Panama the strong interest in the United States Congress in continuing into the next century the special relationship that has existed between our two peoples since 1903.

I am joined in sponsoring this measure by a very distinguished list of cosponsors, including CHARLIE RANGEL, Ranking Democratic Member of the Committee on Ways and Means; CHRIS COX, Chairman of the House Republican Policy Committee; DENNIS HASTERT, the Chief Deputy Majority Whip; BOB MENENDEZ, the Chief Deputy Democratic Whip; DAVID DREIER, the next Chairman of the Committee on Rules; FLOYD SPENCE, Chairman of the Committee on National Security; HENRY HYDE, Chairman of the Committee on the Judiciary; DAN BURTON, Chairman of the Committee on Government Reform and Oversight; and BILL MCCOLLUM, Chairman of the Subcommittee on Crime of the Committee on the Judiciary.

We are introducing this bill because Panama and the United States today stand at a

crossroads in the special relationship between our two peoples that dates back to the beginning of this century. As this century draws to a close, our two nations must decide whether to end that relationship, or renew and reinvigorate it for the 21st century. We must decide, in other words, whether our nations should continue to drift apart, or draw closer together.

In the case of Canada and Mexico—the other two countries whose historical relationship with the United States most closely parallels Panama's—there has been a collective decision to draw our nations closer together. This decision, embodied in the North American Free Trade Agreement (NAFTA), was grounded in a recognition that, in today's world, our mutual interests are best served by increased cooperation and integration.

The legislation we are introducing today offers Panama the opportunity to join Canada and Mexico in forging a new, more mature, mutually beneficial relationship with the United States. In exchange, our legislation asks Panama to remain our partner in the war on drugs and other regional security matters by continuing to host a U.S. military presence after 1999.

Under the Panama Canal Treaties of 1977, the U.S. presence in Panama is scheduled to terminate at the end of next year. Panama will assume full control of the Panama Canal, and all U.S. military forces will be withdrawn.

A 1977 protocol to the Treaties provides that the United States and Panama may agree to extend the U.S. military presence in Panama beyond 1999, and for the last two years U.S. and Panamanian negotiators have sought to reach just such an agreement. Four weeks ago, however, it was announced that these negotiations had failed and that the U.S. military would withdraw from Panama as scheduled.

This is a regrettable turn of events for both of our countries. The United States and Panama both benefit in many ways from the traditional U.S. military presence in Panama. For the United States, that presence provides a forward platform from which to combat narcotrafficking and interdict the flow of drugs, which threatens all countries in this hemisphere.

For Panama, the U.S. presence adds an estimated \$300 million per year to the local economy, fosters economic growth by contributing to a stable investment climate, and helps deter narcoterrorism from spilling over in Panama.

In retrospect, the Clinton Administration acted precipitously three years ago when it rejected Panama's offer to negotiate an extension of our traditional military presence in exchange for a package of benefits to be mutually agreed upon. In the wake of that decision, the effort to establish a Multinational Counter-narcotics Center failed to gain broad support across Panama's political spectrum because it was an unfamiliar concept to most Panamanians.

Our legislation returns to, and builds upon, the concept proposed by Panama three years ago of extending the traditional U.S. military presence in Panama beyond 1999 in exchange for a package of benefits. Our legislation includes three specific provisions of benefit to Panama.

First, and most importantly, our bill offers to bring Panama into the first rank of U.S. trade partners by giving Panama the same preferential access to the U.S. market that Canada and Mexico currently enjoy. The economic value of this benefit for Panama is difficult to quantify today, but over time it should lead to significantly increased investment and employment there, which would directly benefit all Panamanians.

Second, it offers a scholarship program for deserving Panamanian students to study in the United States.

Third, it offers assistance in preparing for the construction of a new bridge across the Panama Canal.

Taken together, these specific provisions give substance to the larger promise of this legislation, which is to renew and reinvigorate the special relationship between our two peoples as we enter the 21st century, provided the people of Panama decide they want to remain our partner.

Obviously it is too later for us to seek to enact the United States-Panama Partnership Act this year. And obviously no purpose would be served by enacting this legislation if it emerges that there is little interest in Panama in renewing our special relationship along the lines proposed in this bill.

Our purpose at this stage is limited to laying out our proposal so that the people of Panama may consider it. We will introduce this bill again next year, and if by that time there have been expressions of serious interest in this proposal within Panama, we will work to move the bill forward through the legislative process.

Under Article I, section 7 of the U.S. Constitution, this bill can only originate in the House of Representatives. We are confident, however, that the Senate would join us in approving this measure, provided that the people of Panama indicate that they too wish to strengthen relations between our two countries along the lines proposed in our bill.

It is our sincere hope that Panama will accept this invitation to reinvigorate the special relationship between our two peoples. We recognize, however, that the right to make this choice rests with the people of Panama, and we will respect their decision.

Original cosponsors of United States-Panama Partnership Act of 1998: Mr. RANGEL, Mr. COX, Mr. HASTERT, Mr. MENENDEZ, Mr. DREIER, Mr. SPENCE, Mr. HYDE, Mr. BURTON, and Mr. MCCOLLUM.

H.R. 4858

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "United States-Panama Partnership Act of 1998".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Since Panama gained its independence in 1903, the United States and Panama have maintained extremely close relations, resting primarily on the shared interest of both countries in the smooth operation and defense of the Panama Canal.

(2) In order to defend the Panama Canal, the United States has maintained a military presence in Panama for over 90 years.

(3) In recent decades, the mission of United States military forces stationed in Panama

has evolved to include significant responsibilities for the conduct of counter narcotics operations in Latin America and the Caribbean, and for the provision of logistical support to such operations by other countries and other agencies of the United States Government.

(4) Under the terms of the Panama Canal Treaty of 1977, the United States is obligated to withdraw all United States military personnel from Panama no later than December 31, 1999, and turn over all United States military facilities to the Government of Panama.

(5) Under the terms of the Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal of 1977, the United States will retain responsibilities for the defense of the Panama Canal after December 31, 1999.

(6) A 1977 protocol to the Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal provides that "Nothing in the treaty shall preclude the Republic of Panama and the United States from making . . . agreements or arrangements for the stationing of any United States military forces or the maintenance of defense sites after [December 31, 1999] in Panama that Panama and the United States may deem necessary or appropriate".

(7) Public opinion surveys in Panama in recent years consistently have shown that approximately 70 percent of the population of Panama favor a continuation of the United States military presence in Panama.

(8) On September 6, 1995, during an official visit of Panama's President Ernesto Perez Balladares to the United States, it was announced that Presidents Clinton and Perez Balladares had agreed to begin informal consultations on the possible extension beyond December 31, 1999, of the United States military presence in Panama.

(9) Early discussions pursuant to the announcement of September 6, 1995, were very encouraging, but the discussions foundered after the United States refused to consider providing any form of compensation to Panama in exchange for an extension of the United States military presence.

(10) After it became clear that no agreement could be reached on extending the United States military presence in Panama past 1999 in its customary form, Panama proposed negotiations on the establishment of a Multinational Counternarcotics Center (MCC), which would permit the continuation of a limited United States military presence in Panama past 1999 and for which no compensation would be expected.

(11) On December 24, 1997, the United States and Panama announced that preliminary agreement had been reached on establishment of the MCC, but the Government of Panama subsequently reopened a number of issues on which preliminary agreement had been reached.

(12) Following rejection by the voters of Panama on August 30, 1998, of a proposed constitutional amendment to permit President Perez Balladares to seek reelection, the United States and Panama announced on September 24, 1998, that the MCC negotiations had failed and would be terminated.

(13) Panama and the United States continue to have a strong shared interest in maintaining a United States military presence in Panama beyond 1999, and both countries should seek to agree on an appropriate package of benefits to facilitate such a presence.

SEC. 3. CERTIFICATION AND REPORT REGARDING AGREEMENT TO MAINTAIN UNITED STATES MILITARY BASES IN PANAMA AFTER DECEMBER 31, 1999.

(a) SUBMISSION OF CERTIFICATION AND REPORT.—At any time before December 31, 1999,

the President may submit to the Congress the certification described in subsection (b) and the report described in subsection (c).

(b) CONTENT OF CERTIFICATION.—The certification referred to in subsection (a) is a certification by the President that the United States and the Government of Panama have reached an agreement permitting the United States, for a period of not less than 15 years beginning on January 1, 2000, to maintain its military presence at Howard Air Force Base, Fort Kobbe, Rodman Naval Station, and Fort Sherman, under terms and conditions substantially similar to those that have applied since October 1, 1979, to these facilities with respect to—

- (1) United States force levels;
- (2) missions performed;
- (3) command and control of United States elements;
- (4) legal status of United States personnel;
- (5) quality of life of United States personnel; and
- (6) physical security of United States personnel.

(c) CONTENT OF REPORT.—The report referred to in subsection (a) is a report containing the following:

(1) The text of the agreement described in subsection (b) that has been reached between the United States and the Government of Panama.

(2) A detailed explanation of the manner in which the agreement ensures that the United States will be able to use the facilities subject to the agreement under terms and conditions substantially similar to those that have applied since October 1, 1979, to those facilities with respect to each of the items set forth in paragraphs (1) through (6) of subsection (b).

(3) If the agreement provides for a United States military presence at the facilities subject to the agreement for a period longer than 15 years, a statement of the date on which that presence expires under the agreement.

(d) SUBMISSION IN CLASSIFIED FORM.—To the degree necessary, the report under subsection (c) may be submitted in classified form.

SEC. 4. BENEFITS.

(a) IN GENERAL.—If the President submits the certification and report under section 3, then the provisions of subsections (b) through (g) apply.

(b) ASSISTANCE FOR BRIDGE PROJECT IN PANAMA.—

(1) ACTION BY TRADE AND DEVELOPMENT AGENCY.—The Director of the Trade and Development Agency shall approve a grant or grants to assist in the design, financial planning, and other preparatory steps for the construction of a new bridge across the Panama Canal.

(2) REPORTING REQUIREMENT.—Not later than one year after the date on which the President submits the certification and report under section 3, the Director of the Trade and Development Agency shall submit a report to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate regarding the steps taken pursuant to paragraph (1) and the status of planning for construction of a new bridge across the Panama Canal.

(c) SCHOLARSHIP PROGRAM FOR PANAMA.—

(1) ACTION BY AGENCY FOR INTERNATIONAL DEVELOPMENT.—The Administrator of the Agency for International Development shall ensure that, for the duration of the agreement period, up to \$2,000,000 of the funds made available each year to the Cooperative

Association of States for Scholarships program shall be made available for scholarships for deserving students from Panama to study in the United States.

(2) REPORTING REQUIREMENT.—Not later than one year after the date on which the President submits the certification and report under section 3, the Administrator of the Agency for International Development shall submit a report to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate regarding the steps taken pursuant to paragraph (1).

(d) TREATMENT OF CERTAIN TEXTILE AND APPAREL ARTICLES.—

(1) EQUIVALENT TARIFF AND QUOTA TREATMENT.—During the transition period—

(A) the tariff treatment accorded at any time to any textile or apparel article that originates in Panama shall be identical to the tariff treatment that is accorded at such time under section 2 of the Annex to an article described in the same 8-digit subheading of the HTS that is a good of Mexico and is imported into the United States;

(B) duty-free treatment under the Caribbean Basin Economic Recovery Act shall apply to any textile or apparel article that is imported into the United States from Panama and that—

(i) is assembled in Panama, from fabrics wholly formed and cut in the United States from yarns formed in the United States, and is entered—

(I) under subheading 9802.00.80 of the HTS; or

(II) under chapter 61, 62, or 63 of the HTS if, after such assembly, the article would have qualified for treatment under subheading 9802.00.80 of the HTS, but for the fact the article was subjected to bleaching, garments dyeing, stone-washing, enzyme-washing, acid-washing, perma-pressing, oven-baking, or embroidery;

(ii) is knit-to-shape in Panama from yarns wholly formed in the United States;

(iii) is made in Panama from fabric knit in Panama from yarns wholly formed in the United States;

(iv) is cut and assembled in Panama from fabrics wholly formed in the United States from yarns wholly formed in the United States; or

(v) is identified under paragraph (3) as a handloomed, handmade, or folklore article of Panama and is certified as such by the competent authority of that country; and

(C) no quantitative restriction or consultation level may be applied to the importation into the United States of any textile or apparel article that—

(i) originates in the territory of Panama, or

(ii) qualifies for duty-free treatment under clause (i), (ii), (iii), (iv), or (v) of subparagraph (B).

(2) TREATMENT OF OTHER NONORIGINATING TEXTILE AND APPAREL ARTICLES.—

(A) PREFERENTIAL TARIFF TREATMENT.—Subject to subparagraph (B), the President may place in effect at any time during the transition period with respect to any textile or apparel article that—

(i) is a product of Panama, but

(ii) does not qualify as a good that originates in the territory of Panama or is eligible for benefits under paragraph (1)(B),

tariff treatment that is identical to the in-preference-level tariff treatment accorded at such time under Appendix 6.B of the Annex to an article described in the same 8-digit subheading of the HTS that is a product of Mexico and is imported into the United

States. For purposes of this subparagraph, the "in-preference-level tariff treatment" accorded to an article that is a product of Mexico is the rate of duty applied to that article when imported in quantities less than or equal to the quantities specified in Schedule 6.B.1, 6.B.2., or 6.B.3. of the Annex for imports of that article from Mexico into the United States.

(B) LIMITATIONS ON ALL ARTICLES.—Tariff treatment under subparagraph (A) may be extended, during any calendar year, to not more than 6,750,000 square meter equivalents of cotton or man-made fiber apparel, to not more than 225,000 square meter equivalents of wool apparel, and to not more than 3,750,000 square meter equivalents of goods entered under subheading 9802.00.80 of the HTS.

(C) PRIOR CONSULTATION.—The President may implement the preferential tariff treatment described in subparagraph (A) only after consultation with representatives of the United States textile and apparel industry and other interested parties regarding—

(i) the specific articles to which such treatment will be extended, and

(ii) the annual quantities of such articles that may be imported at the preferential duty rates described in subparagraph (A).

(3) HANDLOOMED, HANDMADE, AND FOLKLORE ARTICLES.—For purposes of paragraph (1), the United States Trade Representative shall consult with representatives of Panama for the purpose of identifying particular textile and apparel goods that are mutually agreed upon as being handloomed, handmade, or folklore goods of a kind described in section 2.3 (a), (b), or (c) or Appendix 3.1.B.11 of the Annex.

(4) BILATERAL EMERGENCY ACTIONS.—(A) The President may take—

(i) bilateral emergency tariff actions of a kind described in section 4 of the Annex with respect to any textile or apparel article imported from Panama if the application of tariff treatment under paragraph (1) to such article results in conditions that would be cause for the taking of such actions under such section 4 with respect to an article described in the same 8-digit subheading of the HTS that is imported from Mexico; or

(ii) bilateral emergency quantitative restriction actions of a kind described in section 5 of the Annex with respect to imports of any textile or apparel article described in clauses (i) and (ii) of paragraph (2)(A) if the importation of such article into the United States results in conditions that would be cause for the taking of such actions under such section 5 with respect to a like article that is a product of Mexico.

(B) The requirement in paragraph (5) of section 4 of the Annex (relating to providing compensation) shall not be deemed to apply to a bilateral emergency action taken under this paragraph.

(C) For purposes of applying bilateral emergency action under this paragraph—

(i) the term "transition period" in sections 4 and 5 of the Annex shall be deemed to be the period defined in subsection (g)(8); and

(ii) any requirements to consult specified in section 4 or 5 of the Annex are deemed to be satisfied if the President requests consultations with Panama and Panama does not agree to consult within the time period specified under such section 4 or 5, whichever is applicable.

(E) TREATMENT OF CERTAIN OTHER ARTICLES ORIGINATING IN PANAMA.—

(1) EQUIVALENT TARIFF TREATMENT.—

(A) IN GENERAL.—Subject to subparagraph (B), the tariff treatment accorded at any

time during the transition period to any article referred to in any of paragraphs (2) through (5) of section 213(b) of the Caribbean Basin Economic Recovery Act that originates in Panama shall be identical to the tariff treatment that is accorded at such time under Annex 302.2 of the NAFTA to an article described in the same 8-digit subheading of the HTS that is a good of Mexico and is imported into the United States.

(B) EXCEPTION.—Subparagraph (A) does not apply to any article accorded duty-free treatment under U.S. Note 2(b) to subchapter II of chapter 98 of the HTS.

(2) RELATIONSHIP TO OTHER DUTY REDUCTIONS.—If at any time during the transition period the rate of duty that would (but for action taken under paragraph (1)(A) in regard to such period) apply with respect to any article under section 213(h) of the Caribbean Basin Economic Recovery Act is a rate of duty that is lower than the rate of duty resulting from such action, then such lower rate of duty shall be applied for the purposes of implementing such action.

(f) CUSTOMS PROCEDURES.—

(1) IN GENERAL.—

(A) REGULATIONS.—Any importer that claims preferential tariff treatment under subsection (d) or (e) shall comply with customs procedures similar in all material respects to the requirements of Article 502(1) of the NAFTA as implemented pursuant to United States law, in accordance with regulations promulgated by the Secretary of the Treasury.

(B) DETERMINATION.—In order to qualify for such preferential tariff treatment and for a Certificate of Origin to be valid with respect to any article for which such treatment is claimed, there shall be in effect a determination by the President that Panama has implemented and follows, or is making substantial progress toward implementing and following, procedures and requirements similar in all material respects to the relevant procedures and requirements under chapter 5 of the NAFTA.

(2) CERTIFICATE OF ORIGIN.—The Certificate of Origin that otherwise would be required pursuant to the provisions of paragraph (1) shall not be required in the case of an article imported under subsection (d) or (e) if such Certificate of Origin would not be required under Article 503 of the NAFTA (as implemented pursuant to United States law), if the article were imported from Mexico.

(3) PENALTIES FOR TRANSHIPMENTS.—If the President determines, based on sufficient evidence, that an exporter has engaged in willful illegal transshipment or willful customs fraud with respect to textile or apparel articles for which preferential tariff treatment under paragraph (1) or (2) of subsection (d) is claimed, then the President shall deny all benefits under subsections (d) and (e) of this section to such exporter, and any successors of such exporter, for a period of 2 years.

(4) STUDY BY COMMISSIONER OF CUSTOMS ON COOPERATION CONCERNING CIRCUMVENTION.—The United States Commissioner of Customs shall conduct a study analyzing the extent to which Panama—

(A) has cooperated fully with the United States, consistent with its domestic laws and procedures, in instances of circumvention or alleged circumvention of existing quotas on imports of textile and apparel goods, to establish necessary relevant facts in the places of import, export, and, where applicable, transshipment, including investigation of circumvention practices, exchanges of documents, correspondence, reports, and other

relevant information, to the extent such information is available;

(B) has taken appropriate measures, consistent with its domestic laws and procedures, against exporters and importers involved in instances of false declaration concerning fiber content, quantities, description, classification, or origin of textile and apparel goods; and

(C) has penalized the individuals and entities involved in any such circumvention, consistent with its domestic laws and procedures, and has worked closely to seek the cooperation of any third country to prevent such circumvention from taking place in that third country.

The Commissioner of Customs shall submit to the Congress, not later than October 1, 1999, a report on the study conducted under this paragraph.

(g) DEFINITIONS.—For purposes of this section—

(1) AGREEMENT PERIOD.—The term "agreement period" means the period that begins on January 1, 2000, and ends on December 31, 2014, or such later date as is reported to the Congress under section 3(c)(3).

(2) ANNEX.—The term "the Annex" means Annex 300-B of the NAFTA.

(3) ENTERED.—The term "entered" means entered, or withdrawn from warehouse for consumption, in the customs territory of the United States.

(4) HTS.—The term "HTS" means the Harmonized Tariff Schedule of the United States.

(5) NAFTA.—The term "NAFTA" means the North American Free Trade Agreement entered into between the United States, Mexico, and Canada on December 17, 1992.

(6) ORIGINATING.—An article shall be deemed as originating in the territory of Panama if the article meets the rules of origin for a good set forth in chapter 4 of the NAFTA, and, in the case of an article described in Appendix 6.A of the Annex, the requirements stated in such Appendix 6.A for such article to be treated as if it were an originating good. In applying such chapter 4 or Appendix 6.A with respect to Panama for purposes of this section—

(A) no countries other than the United States and Panama may be treated as being Parties to the NAFTA,

(B) references to trade between the United States and Mexico shall be deemed to refer to trade between the United States and Panama, and

(C) references to a Party shall be deemed to refer to the United States or Panama, and references to the Parties shall be deemed to refer to Panama and the United States.

(7) TEXTILE OR APPAREL ARTICLE.—The term "textile or apparel article" means any article referred to in paragraph (1)(A) that is a good listed in Appendix 1.1 of the Annex.

(8) TRANSITION PERIOD.—The term "transition period" means the period that begins on the date of the enactment of this Act and ends on the earlier of—

(A) the date that is 3 years after such date of enactment; or

(B) the date on which—

(i) the United States first applies the NAFTA to Panama upon its accession to the NAFTA; or

(ii) there enters into force with respect to the United States and Panama a free trade agreement comparable to the NAFTA that makes substantial progress in achieving the negotiating objectives set forth in section 108(b)(5) of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3317(b)(5)), and that should remain in effect

at least until the end of the agreement period.

SEC. 5. APPLICABILITY OF BENEFITS.

The tariff treatment under section 4 may be accorded to goods of Panama only during such periods as a designation of Panama as a beneficiary country under the Caribbean Basin Economic Recovery Act is in effect.

SEC. 6. CONFORMING AMENDMENT.

Section 213(a)(1) of the Caribbean Basin Economic Recovery Act is amended by inserting "and except as provided in section 4 of the Panama Relations Act of 1998," after "Tax Reform Act of 1986,".

IN TRIBUTE TO WILLIAM MORRIS, JR.

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. GALLEGLY. Mr. Speaker, I rise to pay tribute to my friend Bill Morris, Jr., who was recently awarded the prestigious and rare 50 Years of Service plaque from Chevrolet Corp. He is the second of three generations to operate Chevrolet dealerships in Simi Valley-Moorpark, Fillmore and Santa Paula. He also has the distinction of being the second generation holder of a 50-year plaque; his father, Bill Sr., also earned one. His son Jeff is continuing the family business.

If service to motorists of all shapes, sizes and automotive tastes was all Bill Morris had accomplished in the past 50 years, it would be quite a feat. But service is a byword with Bill: service to his business, to his family, and to his community. It is an attitude that helped his business to thrive. Many of his customers are second-generation buyers who bring with them bits of memorabilia or family pictures when they arrive to buy their car.

Bill's father moved his family to Ventura County from the San Fernando Valley in 1929 to open a dealership in Fillmore. Soon thereafter, Bill Sr. opened a second dealership in Moorpark, which eventually moved to Simi Valley. A third location, in Santa Paula, was opened in 1939. The father passed to his son his business savvy and his belief that dedication to your family and community are the responsibilities of a successful man.

Bill Jr. learned that lesson well. He and wife Jean have seven children and 14 grandchildren. Son Jeff is the newest operator of Wm. L. Morris Chevrolet. Bill has been a tireless supporter of our community's youth as continuous sponsor of community Little League teams and, most significantly, through Bill's tremendous involvement with the YMCA. His dedication to the business community earned him the distinguished Simi Valley Chamber of Commerce Businessman of the Year award in 1988.

Bill raised his sons through the YMCA Indian Guide program. In 1984, he initiated the drive to start a YMCA in Simi Valley and served as the campaign chairman. In 1987, he served as Chairman of the Board for the Southeast Ventura County YMCA, which includes Simi Valley. As the years passed, the Simi Valley YMCA expanded from its initial leased classroom at a local church. The phi-

lanthropy now serves 400 children before and after school at 11 school sites, and 500 children and families in the YMCA's Indian program. Countless others participate in teen, Y-camper and grief support programs. When the board decided it needed a central facility, Bill once again stepped to the plate, taking on the chair of "The Time Is Now" capital campaign. Its aim is to build a \$2 million, state-of-the-art, 23,000-square-foot facility with aquatics and fitness centers, a child-watch area, a multipurpose room, meeting rooms, offices and a park. With Bill at the helm, I have no doubt the dream will come true.

Bill was also instrumental in building equestrian trails in Simi Valley and throughout Ventura County. He is honorary Past President of the Ventura Taxpayers Association, a 50-year member of Rotary International and a Paul Harris Fellow of the Rotary Foundation.

His success as an entrepreneur and his willingness to share have helped to generate a successful community.

Mr. Speaker, I know my colleagues will join me in recognizing Bill Morris, Jr. for his many years of service to his community through his business and philanthropic prowess.

IN HONOR OF MR. HARRY OFFENHARTZ AND THE ELEANOR ROOSEVELT TRIBUTE CONCERT

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Ms. LEE. Mr. Speaker, I rise to note a concert commemorating Eleanor Roosevelt's leadership in promoting the Universal Declaration of Human Rights, which will celebrate its 50th Anniversary on December 10, 1998. The tribute to Mrs. Roosevelt will feature the world premiere of a cello concerto commissioned especially for the event from the renowned composer Chen Yi and will be performed by the Women's Philharmonic Orchestra in San Francisco at the Herbst Theatre with cello soloist, Paul Tobias. It will be cosponsored by the New Heritage Music Foundation and Amnesty International. Mr. Harry Offenhartz, a good friend of mine, served as President of the New Heritage Music Foundation until his death last July at the age of 93. Mr. Offenhartz worked in the Roosevelt Administration and with Eleanor Roosevelt, and was a tireless advocate for human rights and the cause of the disadvantaged.

Mr. Speaker, it is my pleasure to share the upcoming concert with this body, and to thank and honor those who are working to commemorate Mrs. Roosevelt and the Anniversary of the Universal Declaration of Human Rights.

IN TRIBUTE TO GENERAL GEORGE OLMSTED

HON. TILLIE K. FOWLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mrs. FOWLER. Mr. Speaker, I rise today in tribute to a man who lived a long life which

was spent wisely and in service to his country. General George Olmsted was 97 years of age when he passed away on October 8th at his home in Arlington, VA. Although I did not have the honor of knowing him personally, I am grateful that General Olmsted's grandson State Senator Locke Burt, a friend and constituent of mine, has brought his life to my attention.

General George Olmsted, was successful entrepreneur, an advocate of education, a decorated war hero, an activist in the Republican party and a leader in his community.

A life-long entrepreneur, General Olmsted's civilian time was spent in the banking and insurance industries. In 1955, he purchased control of International Bank of Washington and in 1959, he purchased Financial General Corporation, the 7th largest bank holding company in the country at the time. Headquarter in Washington, DC, Financial General Corporation controlled interests in 26 banks located in 7 States and the District of Columbia. He helped to bring availability and affordability of products and services to a market battered during the Great Depression and was a champion of the idea of better jobs and opportunities for all people.

As I read a recent Washington Post article about him, I found myself wishing that I had known this retired Army General who was originally from Iowa. A short, but true, story of General Olmsted's actions during World War II may illustrate my point:

At the end of World War II, some 30,000 allied prisoners were being held in Japanese POW camps in China. As the Japanese collapse appeared imminent, the Allies were concerned about the safety of the prisoners, one of which was General Johnathan Wainright, the hero of Bataan.

A resourceful man, General Olmsted went to his commanding officer and proposed a plan. It has been said that his superior told him it was the "craziest scheme" he'd ever heard in the Army and informed him that they were already readying court-martial charges against him if his plan failed.

But, because of the lack of troops to send in, or the planes to carry them out immediately, they went ahead with the General's plan. First they dropped leaflets by aircraft on each of the 11 camps immediately after the surrender. Then, a team of seven unarmed men were to parachute into each camp carrying with them letters stating that the war was over and that the allied powers know how many prisoners were in each camp and would hold each camp commander personally responsible for the safety of those prisoners.

Far from being court-martialed, General Olmsted's ideas saved the prisoner's lives and his valor did not go unnoticed. He not only received the Distinguished Service Medal, the Legion of Merit and the Bronze Star from the United States, but was awarded the Legion of Honor from France, was made an Honorary Commander of the Order of the British Empire by Great Britain, and was honored with the Order of the Sacred Tripod and the Special Order of Pao Ting from China. The General was also praised by President Harry Truman for his handling of surplus war equipment still in China after the war.

President Truman was not the first U.S. President to notice General Olmsted's abilities. President Herbert Hoover noticed General Olmsted's abilities even as a young man, inviting him to the White House and asking him to direct the activities of the Young Republican Division of the party in the 1932 election. General Olmsted continued to be involved in politics and even attempted a run once for Governor of Iowa.

From a young age, Olmsted showed his leadership abilities as a cadet at West Point. He was President of his class, ranked second in his class academically, was the feather-weight boxing champ of the Academy and second-string quarterback for the Army football team.

In later years, he did not forget his allegiance to West Point or his tenacity for learning. In 1959, he and his wife Carole established a foundation whose principal activity is The Olmstead Scholar Program.

As a member of the Naval Academy's Board of Visitors, I am proud to say that this program has made financial grants available to hundreds of graduates from three service academies and the ROTC. The graduates enroll as full-time resident students at a foreign university of their choice. They must conduct all their studies in the language of that country and are expected to travel extensively throughout the region to learn as much as they can about the local customs and history of the people there.

Since its founding, 293 officers have been selected as Olmsted Scholars, including one former Chief of Naval Operations. These scholars have attended over 100 different universities located in 37 countries.

General Olmsted was the American success story. He worked hard, enjoyed tremendous success, and shared his good fortune with others. His accomplishments are ones of which Americans can be proud and his patriotism should be an example to our children.

THE CERTIFIED NURSE MIDWIFERY MEDICARE SERVICES ACT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. TOWNS. Mr. Speaker, I am pleased to introduce "The Certified Nurse Midwifery

Medicare Services Act". This legislation will correct several inequities in the nurse-midwives' ability to provide health care services to Medicare recipients. This bill specifically increases the reimbursement rate to 95 percent of physician payment as well as permitting free-standing birth centers to receive Medicare reimbursement.

Currently, under the Medicare program, nurse-midwives are reimbursed for only 65 percent of physician's payment for providing the same services. Fifty-six percent of women who are cared for by CNMs live in areas that are designated as underserved, within inner city or rural areas. In fact, 70 percent of women and newborns seen by nurse-midwives are considered vulnerable by virtue of age, socioeconomic status, education, ethnicity, or place of residence. As of 1996, over 50,000 women, in the Medicare program, had a primary diagnosis related to "pregnancy, childbirth and puerperium". While Medicare has provided for coverage of the professional services of CNMs since July 1, 1988, the low 65 percent reimbursement rate results in payments of \$800 to \$1,200 for nine to ten months of care for pregnancy, including deliveries. At this level, nurse-midwives can not afford to serve the Medicare population, a population which is clearly increasingly in need of access to health care providers.

The second major inequity corrected by this bill would allow free standing birth centers to be reimbursed. Currently, the Medicare program does not recognize free-standing birth centers. Birth centers have a 20 year history of providing quality services with excellent outcomes for mothers and babies. In fact, the first urban birth center was established in New York City in 1975. The excellent quality of care with great savings has been demonstrated in many research studies. The most recent data released by the Health Insurance Association of America and the National Association of Childbearing Centers showed that in 1995 there was a cost savings of over \$3,000 per birth when comparing a birth center to a hospital birth. Medicare can realize considerable savings and improved outcomes for disabled women and their infants who use nurse-midwives and birth centers.

Mr. Chairman, while this legislation is being introduced in the last days of the 105th Congress, I am confident that this measure will receive serious consideration in the next Congress. We must continue to work to increase

access to health care for underserved populations. All too often chronically disabled women have specialists as their primary care providers who neglect their obstetrical and gynecological needs. I look forward to working with my colleagues to improve the payment restrictions on access to nurse-midwifery services for Medicare recipients.

LET'S REMEMBER OUR FRIENDS AT GPO AS WE LEAVE FOR OUR DISTRICTS

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. FROST. Mr. Speaker, as we close the 2nd Session of the 105th Congress, our ability to come to an orderly close is due, in great part, to the tireless efforts of our friends in the U.S. Government Printing Office.

The GPO recently performed a yeoman's task by printing all of the Kenneth Starr reports that were sent to them by the House Judiciary Committee. These massive reports were printed with great speed and professionalism.

Now, as we draw our Session to a close, these dedicated government employees are called on to print an incredible-sized piece of legislation, in addition to reprinting it in the CONGRESSIONAL RECORD, plus putting it online—and all with around-the-clock work schedules.

For over 137 years, the GPO has been a loyal, dedicated partner of the Congress.

Its critics have taken easy pot-shots at this valuable agency, but they have never provided any reliable means of producing congressional products that are as dependable as those from GPO.

As we leave Washington to return to our congressional districts, I would like to salute the men and women at the U.S. Government Printing Office for their steadfast efforts to make the operations of Congress run smoothly.